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Proof of Evidence
Landscape and Visual Issues

Regarding
**Grove Solar Farm,
Bentley, Suffolk**

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For
Babergh District Council

In respect of Appeal by
Green Switch Capital Ltd

Concerning
Babergh District Council's refusal
of
App DC/23/056656

Appeal ref
App/D3505/W/25/3370515

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1 Introduction

1.1 Qualifications and Experience

1.1.1 My name is Michelle Bolger. I am a Fellow of the Landscape Institute and Director of *Michelle Bolger Expert Landscape Consultancy (MBELC)*. I have a degree and a Diploma in Landscape Architecture from Greenwich University. I also have a degree in English from Durham University and a Postgraduate Certificate in Education from London University. I was formerly Chair of the Landscape Institute's Education and Membership Committee and a Trustee on the Landscape Institute Board. I have previously worked as a Senior Associate for Gillespies LLP and Liz Lake Associates.

1.1.2 I have prepared Landscape and Visual Impact Assessments (LVIA) to accompany planning applications for a range of projects including residential development, light transit, highways, leisure, retail, commercial and enabling development, both as standalone documents and as part of Environmental Impact Assessments. On behalf of local planning authorities and other bodies such as South Downs National Park Authority, National Resources Wales and the National Trust, I have reviewed LVIAAs prepared for a range of developments including Nationally Significant Infrastructure Projects.

1.1.3 I have jointly delivered training workshops on LVIA related issues for other landscape architects, local authority officers and on Planning Inspectorate training days, including on assessing landscape value. I have devised and delivered training on acting as an expert witness at Public Inquiries for local authority officers and other landscape architecture practices. On behalf of the Landscape Institute, I co-authored the Technical Guidance Note (TGN 02/21) on *Assessing landscape value outside national designations*.

1.1.4 Over the last twenty years, I have presented evidence at appeal, DCO Examination, call-in and local plan inquiries on behalf of appellants, local planning authorities and local action groups regarding the landscape and visual impacts of proposals for residential, commercial, Gypsy and traveller sites, transport, nuclear and other energy developments.



1.2 Scope of my Evidence

1.2.1 In July 2024 I was asked by Babergh District Council (BDC), to review Application DC/23/05656. The Application is for the construction of a solar farm (up to 40MW export capacity) with ancillary infrastructure and cabling, DNO substation, customer substation and construction of new and altered vehicular accesses. In addition to the application itself I was asked to review the consultation response on landscape issues that BDC had commissioned from Places Services and the consultation response on landscape issues that Bentley Parish Council had commissioned from Alison Farmer Associates (AFA)

1.2.2 Having reviewed the details of the scheme, I concluded that the proposed development would result in significant harm and set out my reasons in Michelle Bolger Expert Landscape Consultancy Landscape Briefing Note (MBELC BN01 CD B32) in August 2024.

1.2.3 The council refused the application in February 2025. There were two reasons for refusal (RfR) and my evidence addresses the second RfR. Although there have been changes to the first RfR subsequent to the appeal, the second reason has not changed and is as follows:

2. LANDSCAPE

The proposal would conflict with policies SP09, LP17, LP18, LP25 and consequently SP03 of the Babergh and Mid Suffolk Joint Local Plan (2023), policies BEN 3 and BEN 7 of the Bentley Neighbourhood Plan (2022) and paragraphs 187 and 189 of the NPPF (2024). The development would introduce an incongruous, industrialised character into a valued landscape, being within the setting and Additional Project Area of the Suffolk Coast and Heaths National Landscape. The development would erode a well preserved and largely unaltered agricultural area and would infill a tranquil transitional gap between settlement and a valuable historical landscape with an abrupt, alien and jarring form of development. "

1.2.4 My evidence also addresses the Appellant's SoC (CD C8) in so far as it relates to landscape issues. In particular it will set out that:

- Whilst the area around the site was not recommended for inclusion in the Suffolk Coast and Heaths NL extension by the 2017 study it was identified as having higher scenic beauty. It is no part of the Council's case that the site warrants formal protection at a national level as suggested in 8.12 in the Appellant's SoC.



- The inclusion of the site within the Additional Project Area is relevant with regard to Policy LP 18 of the Babergh and Mid Suffolk Joint Local Plan - Part 1. This is not mentioned in paragraph 8.13 of the Appellant's SoC which seeks to dismiss the importance of the Additional Project Area. Paragraph 8.13 also omits to mention that the original Landscape and Visual Impact Assessment (LVIA) failed to identify that the site was within the Additional Project Area
- The identification in MBELC BN01 (CD B32) that the site plays an important role in supporting the intact historic landscape to the north has been supported by its inclusion in the Bentley Conservation Area (CA). The description of the fields within the site as 'vast' in paragraph 8.14 is inaccurate and is not supported by the LVIA which describes them as medium /large. Modern agricultural practices have not removed many landscape features that reflect traditional landscape stewardship.
- My evidence will show that the development would harm the defining characteristics / special qualities of the wider landscape (paragraph 8.15) and that open views across the site are not detractors in the landscape.
- My evidence will explain why the proposed landscape mitigation would not compensate for the harm to the intact historic landscape to the north or to the sinuous lanes to the west, south, and east of the site, let alone enhance it.
- The Appellant's description of the landscape of the site as '*expansive and featureless*'¹ is clearly incorrect as will be evident on the site visit.

1.2.5 I have discussed the appeal with the Rule 6 Landscape witness, Alison Farmer, in order to limit repetition in evidence where possible, so as to assist the inquiry.

¹ Appellant's SoC para 8.18 (CD C8)

1.3 The Appeal Documents

1.3.1 I have reviewed the drawings and documents submitted with the application and, in particular, I have considered the following documents and drawings:

- Landscape and Visual Appraisal (CDs A4, A5 and A6)
- Illustrative Landscape Masterplan
- Design and Access Statement (CD A2)
- Arboricultural Impact Assessment and Method Statement (CD A16 & 17)
- Alternative Sites Assessment (CD A3)
- Updated Alternative Sites Assessment (CD C24)
- Amended Plans (General Arrangement Rev A and Landscape Proposals Rev A)
- Appendix 1 - Amended Scheme Clarification Note (CD C9)

1.3.2 I have reviewed Consultation Responses to the Application and the Committee Report. In particular I have reviewed the following documents.

- Landscape Response from Place Services as commissioned by BDC dated 11/01/24; (CD B19)
- Landscape Response from Bentley Parish Council prepared by Alison Farmer Associates (AFA) dated January 2024. (CD B26)

1.4 Structure of my Evidence

1.4.1 My evidence is structured as follows:

- **Section 2** provides a summary of the landscape planning context;
- **Section 3** summarises published landscape character assessments;
- **Section 4** describes the character of the site and its immediate context;
- **Section 5** considers independent studies that have assessed the value of the landscape in which the site is located;
- **Section 6** assesses the landscape value of the site and its immediate landscape;
- **Section 7** assesses the landscape effects of the development;
- **Section 8** assesses the visual effects of the development;
- **Section 9** reviews the LVIA;
- **Section 10** considers the landscape and visual aspects of the alternative sites;
- **Section 11** considers the compliance of the proposals with planning policies; and
- **Section 12** contains a summary and conclusions and forms my **Summary Proof**.



1.4.2 **MB Appendix 1** contains a series of plans that illustrate my evidence.

1.5 Methodology

1.5.1 The methodology used in preparing my evidence is based on the *Guidelines for Landscape and Visual Impact Assessment*, Third Edition 2013 (GLVIA3) (CD G1) prepared by the Landscape Institute/Institute of Environmental Management and Assessment. GLVIA3 is the key guidance regarding assessing landscape and visual impacts. The methodology used is set out in **MB Appendix 2**.

1.5.2 The assessment of landscape value is consistent with the LI's TGN 02/21 *Assessing landscape value outside national designations* (2021) (CD G3).

1.6 Duty to the Inquiry

1.6.1 I understand my duty to the Inquiry and have complied, and will continue to comply, with that duty. I declare that the evidence which I have prepared and provided for this appeal is true. It has been prepared and is given in accordance with the guidance of the Landscape Institute, and I confirm that the opinions expressed are my true and professional opinions.



2 Landscape Planning Policy Context

2.1 Introduction

2.1.1 In this section, I set out the policies, local and national, that I consider relevant to landscape and visual issues. My evidence considers the policies as written, the weight to be given to policies is considered in the evidence of BDC's planning witness.

2.2 The BDC development plan comprises:

- Babergh and Mid Suffolk Joint Local Plan - Part 1 (JLP 2023) (CD E1)
- Bentley Neighbourhood Plan (BNP 2022) (CD E2)

2.3 Babergh and Mid Suffolk Joint Local Plan - Part 1 (CD E1)

2.3.1 Policy 17 Landscape states that:

'1. To conserve and enhance landscape character development must (inter alia):

- a. Integrate with the existing landscape character of the area and reinforce the local distinctiveness and identity of individual settlements;*
- b. Be sensitive to the landscape and visual amenity impacts (including on dark skies and tranquil areas) on the natural environment and built character;*

2. Where significant landscape or visual impacts are likely to occur, a Landscape and Visual Appraisal (LVA) or a Landscape and Visual Impact Assessment (LVIA) must be prepared to identify ways of avoiding, reducing and mitigating any adverse effects and opportunities for enhancement.'

2.3.2 The text of the policy includes the observation that '*The landscape and the historic environment have a strong inter-relationship, as the character of the landscape is influenced by its historic environment, as well as traditional villages and historic townscapes. Equally, the landscape can be important to the setting of a historic asset.*'² (Emphasis added)

2.3.3 Part 3 of Policy LP18 - Area of Outstanding Natural Beauty states that '*Development within the AONB Project Areas should have regard to the relevant Valued Landscape Assessment.*' The text of the policy states that '*The Suffolk Coast and Heaths AONB also has a project area which encompasses the Shotley Peninsula. Whilst these project areas*

² Babergh and Mid Suffolk Joint Local Plan - Part 1 (CD E1) paragraph 15.19

*do not benefit from the same protection as the AONBs, development proposals in these areas should conserve their special qualities as identified in the Valued Landscape Assessments, and where relevant seek to deliver enhancements where the special qualities have been impacted by changes in farming practices or previous development.*³(Emphasis added)

2.3.4 **Policy LP25 - Energy Sources, Storage and Distribution** includes the statement that renewable and low carbon, decentralised and community energy generating proposals will be supported subject to the impact on landscape (inter alia) ‘*having been fully taken into consideration and where appropriate, effectively mitigated.*’

2.4 **Bentley Neighbourhood Plan (CD E2)**

2.4.1 Policy BEN 3 of the Bentley Neighbourhood Plan (Bentley NP) states that development proposals will be supported where they: (inter alia)

- a) *maintain and enhance the quiet and tranquil character of the village and its setting;*
- d) *reflect the qualities and character of the setting of the village within a high quality rural landscape, as identified in the Bentley Landscape Appraisal;*

2.4.2 Policy BEN 7 - Protecting Bentley’s Landscape Character states that ‘*Proposals must, proportionate to the development, demonstrate how the landscape characteristics of the site and its vicinity have been considered in preparing the scheme.*’ Proposals that result in ‘*Erosion of rural lane character through introduction of new development, signage, kerbs and new junctions*’ or ‘*Development which masks the subtle changes in topography at the edge of the plateau; or Fragmentation of lanes due to the introduction of new access routes which can physically interrupt hedges, grass verges and embankments;*’ will not be supported ‘*unless it can be satisfactorily demonstrated, through a project level Landscape and Visual Impact Assessment, that the resultant impact on the landscape character, referenced to the Landscape Appraisal, can be satisfactorily mitigated and appropriately secured.*’

³ Babergh and Mid Suffolk Joint Local Plan - Part 1 (CD E1) paragraph 15.25

2.5 National Planning Policy Framework (CD D1)

2.5.1 With regard to landscape and visual issues, national policy objectives in the NPPF, state planning decisions should:

- Among other things, protect and enhance our natural, built and historic environment (Paragraph 8c);
- Take local circumstances into account, to reflect the character, needs and opportunities of each area (Paragraph 9);
- Ensure that developments are visually attractive and sympathetic to local character and history, including the surrounding built environment and landscape setting (Paragraph 135b & c);
- Establish or maintain a strong sense of place (Paragraph 135d);
- Support the transition to net zero by 2050 (Paragraph 161)
- Protect and enhance valued landscapes ... (in a manner commensurate with their statutory status or identified quality in the development plan); (Paragraph 187a);
- Recognise the intrinsic character and beauty of the countryside (Paragraph 187b).

2.6 Summary

2.6.1 National and development plan policies expect new development to:

- Reinforce the local distinctiveness and identity of individual settlements within Babergh District
- Conserve the special qualities of Additional Project Areas as identified in the Valued Landscape Assessments
- Satisfactorily mitigate landscape and visual harm caused by development within Bentley
- Respect and reflect existing landscape character;
- Be sympathetic to local character and history;
- Establish or maintain a strong sense of place;
- Support the transition to net zero by 2050; and
- Protect and enhance valued landscapes.

3 Existing Landscape Character: Published Landscape Character Assessments

3.1 Introduction

3.1.1 The site is considered in national, county and district landscape character assessments.

This section summarises the key information from those studies and identifies any relevant strategies or guidance for the management of change within those documents.

3.1.2 Table 1 below sets out the various studies and identifies the landscape type (LT) and landscape character area (LCA) in which the site is located.

3.2 Table 1 - Landscape Character Areas and Types

Assessment	Landscape type (LT)	Landscape character area (LCA)
National Level		
National Character Area (NCA)	n/a	NCA 82: Suffolk Coast and Heaths
County and District Level		
Suffolk County Landscape Character Assessment Joint Babergh and Mid Suffolk District Council Landscape Guidance 2015	Ancient Estate Claylands Ancient Estate Farmlands Rolling Valley Farmlands	
Sub District Level		
Shotley Peninsula and Hinterland Landscape Character Assessment		Shotley Peninsula Plateau Samford Valley



3.3 National Character Area (NCA) (CD G4)

3.3.1 The site is within NCA 82: Suffolk Coast and Heaths (CD G4), **MB Figure 2**. The A12 / western boundary of the Parish marks the boundary with NCA 86 South Suffolk and North Essex Clayland. The following key characteristics of NCA 82 are evident in the landscape surrounding the site:

- Ancient broadleaved woodland and parkland wood pasture cloak the southern river valley and estuary slopes;
- Inland valleys contain small-scale historic patterns of irregular drained meadow enclosure, bounded by elm hedgerows;
- Settlement is sparse, with small, isolated villages and farmsteads;
- A rich archaeology includes....numerous country house estates; and
- Public access is extensive both on the land and on the rivers. The sense of tranquillity and wildness is integral to the distinctiveness of the NCA.

3.4 Suffolk County Landscape Character Assessment and Joint Babergh and Mid Suffolk District Council Landscape Guidance 2015 (CD G5)

3.4.1 Within the Suffolk County Landscape Character Assessment, the site includes three LCTs. From west to east they are LCT 1 Ancient Estate Claylands which is located on the marginally higher plateau landscape (above the c. 40m contour), LCT 2 Ancient Estate Farmlands and LCT 18 Rolling Valley Farmlands which is located on the incised valley slopes of the Samford Valley (MB Figure 3).

3.4.2 The Babergh and Mid Suffolk Landscape guidance uses the LCTs as the basis for a more detailed assessment for land within the two districts.

3.4.3 LCT 1 Ancient Estate Claylands is described as gently rolling heavy clay plateaux with ancient woodlands and parklands. Relevant Landscape Characteristics include:

- *'Fields are medium to large, and hedges vary from large with a mix of trees and shrubs to single species hedges.*
- *Blocks of ancient semi-natural woodland are scattered throughout the area, made up of oak, ash, field maple, hornbeam and small leaved lime. In particular there is Raydon Great Wood, Bentley Long Wood and Brockley Wood'.⁴*

⁴ Joint Babergh and Mid Suffolk District Council Landscape Guidance Page 28 (CD G5)

- *'The majority of this landscape character is visually open and expansive; however, there are areas of tall hedges and winding lanes which provide a more quiet and enclosed amenity'*⁵

3.4.4 The settlement pattern is described as '*scattered consisting of various sized small villages, dispersed hamlets and isolated farmsteads*'⁶. Bentley is described as '*a clustered development surrounded by small fields with hedge boundaries and woodland.*'⁷

3.4.5 The Landscape aim is '*To retain, enhance and restore the distinctive landscape and settlement character. In particular strengthening the clayland landscape with appropriate planting and safeguarding the settlement pattern.*'⁸

3.4.6 LCT2 Ancient Estate Farmlands is described as '*A plateau of easily farmed rich loams with a planned estate layout and blocks of ancient woodland*'. The assessment notes that this LCT is only found on the Shotley Peninsula and is within the Suffolk Coast and Heaths NL Additional Project Area. The '*combination of a long period of cultivation and the focus on "agricultural improvement" has created a landscape with a pattern of rectilinear "modern" fields (18th - 19th C), scattered with blocks of Ancient Woodland, (woodland known to pre-date 1600), that are more usually found in the "ancient" countryside of the claylands.*' It is noted that the area has a substantial number of ancient woodlands.

3.4.7 LCT 18 Rolling Valley Farmlands is described as '*Valley sides with some complex and steep slopes in some places with deep well drained loamy soils and often sunken lanes*'⁹.

3.4.8 The site includes parts of each of these LCTs. Landscape character boundaries are not intended to be precise and there is no noticeable change between LCT 1 and LCT2 both of which are located to the west of Church Road. However, to the east of Church Road there is a noticeable change as land can be seen falling towards the valley and rising land on the far side of the valley is also visible. Land to the east of Church Road is visually more connected to LCT 18 Rolling Valley Farmlands than either LCT1 or LCT2.

⁵ Joint Babergh and Mid Suffolk District Council Landscape Guidance Page 28 (CD G5)

⁶ Joint Babergh and Mid Suffolk District Council Landscape Guidance Page 28 (CD G5)

⁷ Joint Babergh and Mid Suffolk District Council Landscape Guidance Page 29 (CD G5)

⁸ Joint Babergh and Mid Suffolk District Council Landscape Guidance Page 29 (CD G5)

⁹ Joint Babergh and Mid Suffolk District Council Landscape Guidance Page 54 (CD G5)

3.5 Shotley Peninsula and Hinterland Landscape Character Assessment (2013) (CD G6)

3.5.1 The Shotley Peninsula and Hinterland Assessment (Shotley Peninsula Assessment) was commissioned by the Stour and Orwell Society (SOS) and Suffolk Coast and Heaths Area of Outstanding Natural Beauty Partnership. The purpose of the Assessment was to '*provide an understanding of the variety of landscape within the area and to record what is special and distinctive in order to inform and provide a framework for future decision making.*'¹⁰ (Emphasis added)

3.5.2 The Shotley Peninsula Assessment identifies landscape character areas (LCAs) rather than LCTs. With regard to the site, it includes two LCAs, Shotley Peninsula Plateau LCA and the Samford Valley LCA. The Shotley Peninsula Plateau LCA includes land in both the Ancient Estate Claylands and Ancient Estate Farmlands LCTs. The Samford Valley LCA includes land within the Rolling Valley Farmlands LCT but extends slightly further up the valley side in many areas including land within the site. This can be seen most clearly on Figure 1: Landscape Character from the Bentley Neighbourhood Plan Landscape Assessment.

3.5.3 The summary description¹¹ for the Shotley Peninsula Plateau LCA includes the following:

- '*The area has a substantial number of ancient woodlands*'
- '*Outside the villages the landscape is scattered with farms, cottages or isolated churches which in the Middle Ages would have been associated with manor halls. Often the farms comprise a mixture of exceptional vernacular buildings and some examples of more modern and larger scale buildings. On the western fringe of this landscape, at the boundary with the claylands, that there is a notable pattern of estate halls including Bentley Old Hall, Bentley Manor and Bentley Hall.*'
- '*These roads, along with a network of single tracked lanes, connect the various settlements and reinforce the perception of the area being a rural backwater. Some ancient routes remain as tracks and footpaths particularly in the west.*'
- '*Overall, the pattern of a wooded skyline across large scale open arable fields is consistent across the area. In most views there is often a farmstead or manor house reflecting the settled character.*'

(Emphasis added)

¹⁰ Shotley Peninsula and Hinterland Landscape Character Assessment 2012/13 Page 1 (CD G6)

¹¹ Shotley Peninsula and Hinterland Landscape Character Assessment 2012/13 Pages 22-23 (CD G6)

3.5.4 Distinctive landscape features¹² within the Shotley Peninsula Plateau LCA include:

- *'Dispersed estate farmsteads are the predominate settlement pattern reflecting former medieval halls and parks ... and remnant areas of parkland including Bentley Hall, Bentley Park, Bentley Manor and Belstead Hall;'*
- *'Concentration of historic manor houses, churches and farms particularly in the west. Old lanes remain in the landscape as farm tracks and footpaths e.g. Old Hall Lane and Bentley Lane;'*
- *'Views to isolated properties are commonplace giving rise to a settled but predominately quiet back-water character.'*

3.5.5 The summary description for the Samford Valley LCA highlights the following:

- *'A valley landscape which is incised and narrow with steep valley sides There are few places where the valley is accessible by car as roads tend to pass across the valley rather than along it. Footpaths through the valley do however afford opportunities for quiet solitude. Similarly, there is little settlement except for the occasional isolated farm'.*
- *'Ancient woodlands on the adjacent plateau landscape also help frame the valley landscape and reinforce the sense of enclosure.'*
- *'The railway line connecting Manningtree with Ipswich severs the valley west of Brantham Bridge and passes through the northern tributary valley on its western valley sides. ... the railway does affect perceptions of tranquillity within the tributary valley, as do the pylons which follow an almost identical route northwards.'*¹³

¹² Shotley Peninsula and Hinterland Landscape Character Assessment 2012/13 Page 23 (CD G6)

¹³ Shotley Peninsula and Hinterland Landscape Character Assessment 2012/13 Page 31 (CD G6)

3.6 Summary

3.6.1 The site is located within NCA 82: Suffolk Coast and Heaths (CD G4) and key characteristics of NCA 82, such as the presence of numerous country house estates, are evident in the landscape surrounding the site.

3.6.2 Within the Suffolk County Landscape Character Assessment (CD G5), the site includes three LCTs. LCT 1 Ancient Estate Claylands, LCT 2 Ancient Estate Farmlands and LCT 18 Rolling Valley Farmlands (MB Figure 3). Both LCT 1 and LCT 2 are located on the plateau with heavy clay in LCT 1 giving way to easily farmed rich loams in LCT2. Ancient woodlands and hedged fields are features of both LCTs, as is scattered settlement. LCT 18 which is located on the eastern edge of the site, is topographically different with valley sides some complex and steep.

3.6.3 Within the Shotley Peninsula and Hinterland Landscape Character Assessment (CD G6) the site is located within two LCAs, Shotley Peninsula Plateau LCA and the Samford Valley LCA. The presence of ancient woodland and scattered settlement is noted for Shotley Peninsula Plateau LCA, as well as the network of single tracked lanes and ancient routes fossilised as PRoW. The area is described as being perceived as a rural backwater. The notable pattern of estate halls including Bentley Old Hall, Bentley Manor and Bentley Hall is identified as a distinctive landscape feature.

3.6.4 The eastern edge of the site is within a tributary valley to the main valley in the Samford Valley LCA. The railway line and pylon line which run this tributary valley are noted as adversely affecting perceptions of tranquillity.



4 Existing Landscape Character: Appeal Site and Immediate Context

4.1 Location

4.1.1 The site is located in the parish of Bentley. The modern village of Bentley is located in the southern part of the parish. It is the result of infill development and small-scale residential cul-de-sacs accessed off the Capel and Station Roads, that has taken place over the last 50 years.¹⁴ In contrast the northern part of the parish contains an older historic core centred around Bentley Church (St Mary's Grade II*), several historic manor houses and their grounds, and a group of remarkable ancient woodlands.¹⁵ This area has recently been designated as the Bentley Conservation Area (Bentley CA).

4.1.2 The site is entirely within the Bentley CA. It is located:

- Immediately to the south of Bentley Church, Church Farm and associated woods;
- Immediately south east of Engry Wood, one of the remarkable ancient woodlands;
- Immediately east of Pond Hall Lane, a bridleway that is the fossilised route of an historic lane;
- Immediately north of Potash Lane, a historic hedge and tree lined lane;
- Either side of Church Road, another historic hedge and tree lined lane, which runs from the modern village of Bentley to Bentley Church;
- Predominantly west of the railway line which is located in a tributary valley which also contains a pylon line; and
- East of Church Road, between the grounds of Falstaff Manor and Uplands, a contemporary house set within landscaped grounds.

4.1.3 The site has two main parts (described as the Main Site in the Statement of Common Ground SoCG) and a third extension for a substation. They are described in my evidence as:

- The western part
- The eastern part
- The substation extension

¹⁴ Bentley Neighbourhood Plan: Landscape Appraisal Paragraph 2.1.5 (CD G7)

¹⁵ Bentley Conservation Area Appraisal and Management Plan Page 8 (CD F1)

4.2 The Western Part

4.2.1 The Western Part of the site is the largest part. It consists of a single medium/large arable field surrounded by woodland or hedges with trees. Bentley Church and Church Farm with their associated woods lie immediately adjacent to the northern edge of the site and the wavy edge of Engry Wood forms the north western boundary of the site, there are at least ten ancient/veteran/notable trees¹⁶ located on the boundaries of the Western Part.

4.2.2 There has been a loss of historic field boundaries within the field but the surrounding trees and woodland, combined with views towards vernacular buildings such as Bentley Church and Church Farm, give it an attractive enclosed appearance. It is a good example of the '*balanced and cohesive composition of mature trees, wooded skylines, arable fields, historic vernacular buildings and lack of modern development*'¹⁷ described as contributing to the scenic beauty of the area.

4.2.3 A bridleway runs along the western boundary of the site. It is the southern end of Pond Hall Lane, a historic hedged route from Pond Hall in the north to Grove Farm on Potash Lane. Grove Farm is located opposite the south western corner of the site.

4.2.4 Potash Lane, which forms the southern boundary of the Western Part is a historic hedge and tree lined lane, fringed with historic properties including estate cottages and Potash Farm, which has likely 16th century origins, with Grove Farm and its historic farmstead at its western end¹⁸. Potash Lane has recently been identified as '*the likely alignment of the Hundred Way, a route of probable Saxon origin leading to the Hundred Court at Coppedthorne, a hamlet on the Old London turnpike near Capel St Mary.*'¹⁹ The site boundary runs along the northern boundaries of several properties on the northern side of Potash Lane.

4.2.5 Church Road forms the eastern boundary of the Western Part of the site. There is a gentle rise in land across the Western Part, rising to the west. All of the Western Part is located within the Shotley Peninsula Plateau LCA.

¹⁶ As identified on the Arboricultural Impact Assessment Plans and The Veteran Tree Survey carried out by Bentley Parish (Evidence of Alison Farmer (CD C18) Figures 6 & 7

¹⁷ Bentley Neighbourhood Plan: Landscape Appraisal (CD G7) Page 31

¹⁸ Bentley Conservation Area Appraisal and Management Plan (CD F1) Page 8

¹⁹ Bentley Conservation Area Appraisal and Management Plan (CD F1) Page 8

4.3 The Eastern Part

4.3.1 The Eastern Part of the Site lies between Church Road and the railway line. The railway runs along the floor of a tributary valley and is well screened from the landscape to the west of Church Road. The Eastern Part of the site includes the Shotley Peninsula Plateau LCA to the west and the Samford Valley LCA to the east. The transition from a plateau landscape to a valley landscape is clearly evident on site as the land falls noticeably to the east and the rising valley side is clearly evident in views across the site. This is in contrast to the wooded skyline that encloses views across the Western Part of the site.

4.3.2 To the north of the Eastern Part is Uplands '*a contemporary house designed by Freeland Rees Roberts Architects in 2004-2005, with landscaped garden including croquet pavilion on an historic plot.*'²⁰ It is identified in the Bentley Conservation Area Appraisal and Management Plan (CAAMP) as a feature of Architectural and Historic Interest.²¹

4.3.3 To the south of the Eastern Part is Falstaff Manor and its well vegetated grounds. It is listed in the Neighbourhood Plan as a Building of Local Significance and in the Bentley Conservation Area Appraisal and Management Plan as a feature of Architectural and Historic Interest.²² It is described as having a '*Medieval core with 18th and 19th century additions, originally held by the Fastolf or Falstaff family, but acquired by the Tollemaches in 1549.*'²³

4.3.4 The Eastern Part of the site is different in character to the Western Part. The field is smaller and more enclosed, and it has a pronounced fall.

4.4 The substation extension

4.4.1 A substation connecting to the pylon line is located on the eastern side of the railway line entirely within the Samford Valley LCA. It is severed from the remainder of the site by the railway line.

²⁰ Bentley Conservation Area Appraisal and Management Plan (CD F1) Page 26

²¹ Bentley Conservation Area Appraisal and Management Plan (CD F1) Page 26

²² Bentley Conservation Area Appraisal and Management Plan (CD F1) Page 31

²³ Bentley Conservation Area Appraisal and Management Plan (CD F1) Page 31

4.5 Summary

4.5.1 The site is located in the northern part of Bentley Parish, within the Bentley Conservation Area and separated from the modern village of Bentley.

4.5.2 The comprises three distinct areas, with the two parts of the Main Site being separated by the historic Church Road. Almost all the boundaries to the site, in particular West of Church Road, are formed by historic landscape features such as Engry Wood, Pond Hall Lane and Potash Lane.

4.5.3 The Main Site consist of two arable fields, medium/large and medium, which are enclosed by woodland, and hedged/treed roads. Views across the fields, available from the PRoW, through gaps in the hedges, and down agricultural access points, are characterised by a '*balanced and cohesive composition of mature trees, wooded skylines, arable fields, historic vernacular buildings and lack of modern development.*'²⁴

²⁴ Bentley Neighbourhood Plan: Landscape Appraisal (CD G7) Page 31

5 Independent Landscape Value Assessments

5.1 Introduction

5.1.1 Three evaluative landscape assessments have been undertaken for the area that includes the site. This is primarily because the site:

- Is within an area previously designated as a Special Landscape Area (SLA);
- Is within the Suffolk Coast & Heaths National Landscape (SCH NL) Additional Project Area (APA).

5.1.2 The Assessments that have been undertaken are:

- Natural Beauty Assessment, Suffolk Coast and Heaths Area of Outstanding Natural Beauty Boundary Variation Project (2017) Natural England (Natural Beauty Assessment) (CD G8);
- Valued Landscape Assessment Suffolk Coast & Heaths Additional Project Area Report prepared by Alison Farmer Associates (AFA), (2020) (CD G9);
- A Landscape Appraisal of Bentley Parish prepared by AFA for the Bentley Neighbourhood Plan (2019) (G7);

5.1.3 The sections that follow consider the conclusions of each of these studies

5.2 Natural Beauty Assessment, Suffolk Coast and Heaths Area of Outstanding Natural Beauty Boundary Variation Project (2017) (CD G8)

5.2.1 Paragraph 1.1.5 of the Natural Beauty Assessment, sets out that it has two purposes:

*'The aim of this study has been to collate, update and review evidence of natural beauty in relation to land adjacent to the existing AONB and to evaluate the natural beauty of this area; firstly to determine whether it has sufficient natural beauty to be considered worthy of inclusion within an extension to the Suffolk Coast and Heaths Area of Outstanding Natural Beauty; and secondly to identify areas which qualify for inclusion in a Candidate Area that can form the basis for consideration of whether designation of this area as AONB is desirable; and within which a detailed boundary may be sought.'*²⁵ (Emphasis added)

²⁵ Natural Beauty Assessment, Suffolk Coast and Heaths Area of Outstanding Natural Beauty Boundary Variation Project (2017) Paragraph 1.1.5 (CD G8)

5.2.2 From this it is evident that areas could be identified as having sufficient natural beauty to be considered worthy of inclusion in the Suffolk Coast and Heaths NL but not be suitable for inclusion in a candidate area. Paragraph 2.3.1 sets out some of the additional considerations for the identification of a Candidate Area.

*'The identification of a Candidate Area which generally meets the criterion for designation and within which a boundary can be sought. This included consideration of current and developing land allocations, features of interest, areas of transition and fragmentation, impact of incongruous development and the influence of settlements.'*²⁶

5.2.3 The Natural England Guidance on Assessing Landscapes for designation as National Park or Area of Outstanding Natural Beauty in England Updated 2021 (Natural England Guidance on Designation) (CD G10) recommends that the Study Area is divided into Evaluation Areas of an appropriate scale to provide a spatial framework.²⁷ The Natural Beauty Assessment concluded that the Shotley Peninsula and Hinterland Landscape Character Assessment was '*the most appropriate basis for informing characterisation, evaluation and definition of evaluation areas.*'²⁸

5.2.4 Section 6 of the study set out how the detailed evaluation of natural beauty was undertaken based on the Natural England Guidance on Designation. Paragraph 6.1.5 notes that '*It should be noted that a Candidate Area by definition demarcates an area that appears likely to be able to meet the technical criterion and does not have a hard boundary to its extent.*' (Emphasis added).

5.2.5 The Natural Beauty Assessment identified a number of Evaluation Areas. The former Dodnash SLA was identified as Evaluation Area 3 but was extended to include land to the west, east of the A12. Within Area 3 sub areas were identified based on the LCAs in the Shotley Peninsula Assessment as shown on Figure 8 of the Natural Beauty Assessment. The three areas are D1 Samford Valley, D2 Holbrook Valley and D3 Shotley Peninsula Plateau. The site includes land within D1 and D3. D3 includes all of the Shotley Peninsula Plateau LCA within Evaluation Areas 3.

²⁶ Natural Beauty Assessment, Suffolk Coast and Heaths Area of Outstanding Natural Beauty Boundary Variation Project (2017) Paragraph 2.3.1 (CD G8)

²⁷ Natural Beauty Assessment, Suffolk Coast and Heaths Area of Outstanding Natural Beauty Boundary Variation Project (2017) Paragraph 5.1.1 (CD G8)

²⁸ Natural Beauty Assessment, Suffolk Coast and Heaths Area of Outstanding Natural Beauty Boundary Variation Project (2017) Paragraph 5.2.5 (CD G8)

5.2.6 The Table on Pages 70-74 of the Natural Beauty Assessment sets out the evaluation of Area D3 Shotley Peninsula Plateau against the '*Natural Beauty Factors, Sub-factors and Evidence of Indicators*' recommended in the Natural England Guidance on Designation.

Table 2 below sets out a summary of:

- The judgments on Area D3 as a whole; and
- Where the value of the landscape around the site is identified as differing from the judgment on D3 as a whole.

Table 2: Evaluation of Natural Beauty Judgments on Area D3 Shotley Peninsula Plateau from the Natural England Natural Beauty Assessment (CD G8)

Natural Beauty Factors	Evaluation of Area D3 as a whole	Evaluation of the landscape around the site
Landscape Quality	<p>Overall, this rural, largely flat, open plateau landscape has an elevated, exposed, large-scale and simple character of moderate landscape quality.</p> <p>Overall, there is relatively little woodland.</p> <p>There are relatively few large-scale incongruous features over much of the area,</p> <p>High and low voltage pylons criss-cross the fields in many places and areas of agricultural machinery and irrigation equipment storage contribute to visual clutter, affecting landscape quality locally.</p>	<p>Around the periphery of the area though, there are three areas with significant close groupings of ancient woodlands. (One of these is) centred round Bentley Hall/Bentley Old Hall/ Bentley Manor in the north-west.</p> <p>In the north-west fringe of the area at the boundary with the claylands, there is a group of notable halls including Bentley Old Hall, Bentley Park, Bentley Manor and Bentley Hall with their associated church and vernacular buildings.</p> <p>Together with their areas of parkland, many mature trees, woods and a stretch of slightly incised valley, these form a small area of higher landscape quality due to the intactness of wooded estate features and patterns, set in the wider plateau landscape. Here the parklands appear well managed with some characteristic estate features, though some of the woodlands are not apparently under active management.</p> <p>(Emphasis added)</p>



Natural Beauty Factors	Evaluation of Area D3 as a whole	Evaluation of the landscape around the site
Scenic Quality	<p>Overall, the area has a pleasant rural character since there are relatively few built features and few major roads.</p> <p>The small villages and hamlets such as Bentley are largely modern in character.</p> <p>Telephone wires and low voltage power lines are visible over relatively wide areas owing to the flat nature of the plateau in general and together with storage areas for agricultural machinery and irrigation equipment and the relative lack of hedges or hedgerow trees, give the area a modern utilitarian feel and reduce scenic quality</p>	<p>In the immediate vicinity of Bentley Hall and Bentley Park there is a small area of higher scenic quality where a shallow winding tributary valley occurs in combination with well managed areas of estate woodland, parkland type planting, and some designed elements in the landscape, providing a strong woodland influence and estate character with harmonious compositions and slight topographical variation and glimpsed views to the wider plateau landscape. Numbers of attractive vernacular buildings around Bentley Hall, its church, and the presence of old green lanes such as Old Hall Lane also make a significant contribution to scenic quality in this small area, though it is surrounded in all directions by lower quality typical plateau arable land. There is also an area of well managed parkland around Bentley Manor contributing to higher scenic quality locally.</p> <p>Scenic quality is higher where woodland groups define views, create visual structure in the otherwise open, relatively flat landscape and contribute to a stronger wooded estate character in these areas.</p> <p>The encircling estate woodlands around Bentley Hall, Bentley Long Wood to Old Hall Wood and Wherstead Wood frame views in all directions in the area north of Bentley</p>
Relative Wildness	<p>Overall, this is an area with a strong agricultural character, which does not have a sense of relative wildness.</p>	<p>The more extensive areas of woodland do however offer a degree of relative wildness in places, especially where stands of spring flowers combine with mature broadleaved trees.</p>

Natural Beauty Factors	Evaluation of Area D3 as a whole	Evaluation of the landscape around the site
Relative Tranquillity	<p>There is a relatively tranquil rural feel across much of the area except where road noise impinges.</p> <p>The settlements of The Heath, Bentley, Upper Street and East End with their higher density modern development and night lighting, also reduce tranquillity in their vicinity.</p> <p>There are few large-scale detracting features apart from the roads, railway and power lines.</p>	
Natural Heritage Features	Other than the ancient woodland sites there are few other priority habitats,	There are three areas which support significant concentrations of semi-natural woodland habitat, all clustered towards the periphery of the area. Around Bentley Hall/Bentley Old Hall/ Bentley Manor in the north-west are Bentley Long Wood, Brockley Wood, Old Hall Wood, Engridy Wood, Pedlar's Grove, Newcome and Wherstead Wood

Natural Beauty Factors	Evaluation of Area D3 as a whole	Evaluation of the landscape around the site
Cultural Heritage Features	<p>There are relatively few surviving above ground features of cultural heritage interest on the farmland and there are no Scheduled Monuments within the area</p> <p>The settlements do not exhibit a strong local character or sense of time depth.</p>	<p>In places old lanes and hollow ways have survived, often as green lanes or footpaths and the original patterns of roadways connecting the dispersed rural dwellings remains intact. This is particularly true in the west of the area around Bentley e.g. Old Hall Lane and Bentley Lane, where they add interest and contribute to a stronger sense of time depth locally.</p> <p>Parts of two historic parklands survive in the north of the area at Bentley Park and Bentley Manor, The scatter of attractive vernacular buildings away from the settlements add time depth especially the significant grouping of fine vernacular listed buildings including halls, a tithe barn (currently in a poor state of repair) and a church in the vicinity of Bentley Hall/Park, Bentley Old Hall. These and nearby Bentley Manor do make a positive contribution to natural beauty locally where they appear in combination with their gardens, parkland and designed landscape features</p>

5.2.7 The overall evaluation for Area D3 Shotley Peninsula Plateau is that 'as a whole' it is not considered suitable for inclusion within the Candidate Area for designation for the following reasons:

'The Shotley Peninsula Plateau within this evaluation area has a mixed weight of evidence of natural beauty. Although some areas have higher levels of natural beauty, these are small and fragmented and the majority of the area has a lower weight of evidence of natural beauty. Overall, the area has a modern utilitarian agricultural character of moderate landscape and scenic quality. There is little sense of relative wildness though much of the area is tranquil, reflecting the relative lack of large settlements and major roads. Landscape and scenic quality are highest in areas with some topographical variation'

*and where this combines with areas of semi-natural woodland and views of vernacular buildings, particularly in the area around Bentley Park, Bentley Hall and Bentley Manor where historic landscape patterns remain relatively intact. However, these areas are limited in extent within a wider area which overall, lacks distinction due to the intensity of modern agricultural use. Apart from the three clusters of semi-natural ancient woodland sites and the groups of listed buildings in the vicinity of Bentley, the area as a whole also lacks significant natural or cultural heritage interest.*²⁹

5.2.8 It can be noted that there is only one natural beauty factor, relative tranquillity, where the area around Bentley Park, Bentley Hall and Bentley Manor is not explicitly referenced as being of higher quality than D3 in general. In addition, most of the factors noted as reducing tranquillity, road noise, settlements characterised by modern development, power lines ‘crisscrossing’ the fields, agricultural machinery and irrigation infrastructure are also not present in the area around Bentley Park, Bentley Hall and Bentley Manor. The railway line and an associated high voltage power line are present but due to landform their impact is diminished as illustrated in the Bentley CAAMP (CD F1) on Page 60.

5.2.9 It is evident from the 2017 Natural Beauty Assessment that whilst the area around Bentley Park, Bentley Hall and Bentley Manor was considered to have many of the ‘*Natural Beauty Factors, Sub-factors and Evidence of Indicators*’ for designation, it is too limited in extent and is not contiguous with either the Suffolk Coast and Heaths AONB in 2017 or any of the areas proposed to be considered as the candidate area for the extension.

5.2.10 I have not undertaken the same exercise for Area D1 Samford Valley as undertaken above in Table 2 for Area D3 even though part of the site that lies within Area D1. This is because the ‘*Natural Beauty Factors, Sub-factors and Evidence of Indicators*’ identified in the study for D1 are not particularly expressed in the site’s immediate landscape. The Study concludes that ‘*Overall the natural beauty criterion is met over most of the Samford Valley Character Area There are some spatial variations in the weight of evidence of natural beauty, which is highest in the main river valley system and lower in the northern tributary valley, owing to its simpler morphology, and the effect of the mainline railway and high voltage power lines.*³⁰ The main valley is recommended for

²⁹ Natural Beauty Assessment, Suffolk Coast and Heaths Area of Outstanding Natural Beauty Boundary Variation Project (2017) Pages 73-74 (CD G8)

³⁰ Natural Beauty Assessment, Suffolk Coast and Heaths Area of Outstanding Natural Beauty Boundary Variation Project (2017) Page 64 CD G8)

designation but the northern tributary valley, which includes the eastern edge of the site, is not recommended.

5.3 **Valued Landscape Assessment Suffolk Coast & Heaths Additional Project Area Report prepared by AFA, (2020) (AFA Valued Landscape Assessment) (CD G9);**

5.3.1 Although this Assessment was published after the Landscape Appraisal of Bentley Parish it was a direct successor to the Natural Beauty Assessment and therefore, I have considered it first.

5.3.2 The purpose of the AFA Valued Landscape Assessment is set out. In paragraph 1.2

- ‘• *Articulate valued aspects of the landscape within the Project Area.*
- *Develop knowledge and understanding about the area’s natural beauty, special qualities, landscape and cultural features which contribute to valued landscapes.*
- *Identify the sensitivity of the landscape to change.*
- *Provide evidence which can be used to inform responses to planning applications/appeals in the context of National Planning Policy Framework (NPPF) paragraph 170a.*
- *Better protect Project Areas against inappropriate development’³¹*

5.3.3 Section 1.4 sets out the Planning Context and Status of the Additional Project Area.³² It states that ‘*Although the SC&H APA is specifically referred to in the AONB Management Plan, and is regarded by the Partnership as a valued landscape, it has no formal landscape status in planning terms.*’ The AFA Valued Landscape Assessment was prepared in advance of the Babergh and Mid Suffolk Joint Local Plan - Part 1. Policy LP18 of that plan does make specific reference to the Additional Project Areas and explains that ‘*Whilst these project areas do not benefit from the same protection as the AONBs, development proposals in these areas should conserve their special qualities as identified in the Valued Landscape Assessments, and where relevant seek to deliver enhancements where the special qualities have been impacted by changes in farming practices or previous development.*’³³ The Additional Project Area with Babergh therefore does now have policy protection.

³¹ Valued Landscape Assessment Suffolk Coast & Heaths Additional Project Area Report AFA 2020 (CD G9)

³² Although the report refers to the SVPA here it is clearly a mistake. The SVPA refers to the Stour Valley Project Area (Dedham Vale AONB) which is assessed in a separate report.

³³ Babergh and Mid Suffolk Joint Local Plan - Part 1 (CD E1) paragraph 15.25

5.3.4 The AFA Valued Landscape Assessment only assesses the Additional Project Area areas that were not proposed for inclusion in the Suffolk Coast and Heaths NL. Section I.7 of the AFA Valued Landscape Assessment considers a number of planning appeals which illustrate how the equivalent Project Area for the Stour Valley has been treated in relation to planning policy and decisions and concludes that the appeals highlight:

- *'the weight which is given to the inclusion of land within the SVPA and reference to this within the Dedham Vale AONB Management Plan'*
- *'that not all land within the SVPA will have equal landscape quality'*
- *'that a landscape may be a valued landscape even if it is not defined within policy or a local development proposals map'*
- *'that a landscape may be sensitive to a particular development even if it is concluded that it is not a valued landscape.'*³⁴ (Emphasis added)

5.3.5 Within the AFA Valued Landscape Assessment, the site is within Area 1 Wooded Plateau. As shown on Figure 4 Broad Assessment Areas. A detailed assessment of the landscape of the Area 1 using the criteria from GLVIA Box 5.1 is provided on pages 17 and 18. The following comments are of particular relevance:

- **Landscape Quality (condition)** The historic pattern of church and hall complexes sitting isolated within a wider rural landscape remains intact. The historic lane pattern which connects settlements, halls and farms remains intact either forming the existing road network or fossilised within the public rights of ways and green lanes.
The landscape is most intact in the north of the area and especially around Bentley Hall.
- **Scenic Quality:** The scenic qualities of this landscape are derived from the sinuous lines and patterns of ancient woodland, rural lanes and former parkland boundaries.
There are notable clusters of vernacular buildings (church, hall and farm complexes) (that) comprise visually attractive groups and local interest, forming isolated built structures within a wider rural scene. When combined with the narrow rural lanes and green ways, often flanked with veteran trees, this landscape imparts a tangible rural and historic character.

³⁴ Valued Landscape Assessment Suffolk Coast & Heaths Additional Project Area Report AFA 2020 Page 6 (CD G9)

- **Rarity:** The cluster of hall and church complexes is rare as are the collection of ancient woodlands and intact pattern of rural lanes/routes reflecting an earlier medieval landscape.
- **Conservation:** Conservation interest is associated with the ancient woodlands. The pre 18th century enclosure pattern, distribution of woodland, listed buildings and fossilised pattern of historic routes evident in the road network and rights of way, comprise an important collection of historic features.

5.3.6 The following table sets out the identified Special Qualities of Area 1 Wooded Plateau as set out in the AFA Valued Landscape Assessment (G9) and identifies whether these are present in the landscape around the site.

Table 3 - Identified Special Qualities of Area 1 Wooded Plateau

Identified Special Qualities	Presence in the landscape around the site
Hall/church complexes along with ancient woodland and rural lanes reflect patterns of the medieval landscape.	Hall/church complex located immediately north of the site. The site is crossed by one rural lane, leading to the Hall/church complex and another forms part of the southern boundary to the site.
Remnant areas of parkland and notable veteran trees throughout the area impart an established character	Remnant parkland is located further north. Veteran trees present on the site boundaries.
Sinuous lanes and patterns created by wavy edges to ancient woodland, rural winding lanes and old park boundaries and enclosure patterns.	Sinuous lanes present within the site and on its boundaries. Wavy edge to ancient woodland forms site part of boundary.
Wooded skylines defined by ancient woodlands and highly valued for biodiversity.	Wooded skylines define views across the western part of the site from Pond Hall Lane in the west, Potash Lane in the south and from Church Road.

Attractive open views across rural farmland to individual or clusters of vernacular buildings.	An example of this is the view across the site towards Church Farm.
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5.3.7 The conclusions of the AFA Valued Landscape Assessment are:

*This study has highlighted the special qualities of the Suffolk Coast & Heaths Additional Project Area and the reasons why it is of particular landscape value. Importantly the assessment has demonstrated that the value attached to the area varies.... Furthermore, the quality and condition of the landscape also varies with some areas being especially valued and other areas requiring enhancement.*³⁵ (Emphasis added)

5.3.8 It is evident from the analysis set out above that the site is located in one of the areas that are 'especially valued', an area that has particular landscape value.

5.4 **Landscape Appraisal of Bentley Parish prepared by AFA for the Bentley Neighbourhood Plan (2019) (CD G7);**

5.4.1 The Landscape Appraisal of Bentley Parish for the Bentley Neighbourhood Plan (Parish Landscape Appraisal) was commissioned from AFA 'in order to provide a robust evidence base to support the development of policy within the emerging Neighbourhood Plan.' A particular area of study related to the sensitivity and capacity of land surrounding the village of Bentley to accommodate housing/employment development. This part of the assessment is not relevant to the current appeal.

5.4.2 Sections 3.1-3.4 of the Parish Landscape Appraisal, Landscape Character, detail the published landscape character assessments for the Parish (Sections 3.1-3.3) and make reference to the previous Dodnash SLA (Section 3.4). Section 3.5 notes that the Parish falls within the Suffolk Coast and Heaths Additional Project Area and sets out the results of the Natural Beauty Assessment; that Area D1 Samford Valley was proposed as an extension to the designated area and that D3 Shotley Peninsula Plateau was not. It concludes as follows:

'Whilst the evaluation of Area D3 was not identified as part of the extension to the AONB, the assessment highlights the area to the north of the village of Bentley as having valued landscape components and which were considered to express a higher scenic quality than found in the wider Shotley Peninsula

³⁵ AFA Valued Landscape Assessment Page 53 (CD G9)

Plateau. This is considered in more detail in section 4.6 below.³⁶ (Emphasis added)

5.4.3 Figure 2: Designations and Features, identifies 'Built Landmarks and Landscape Features' which contribute to sense of place and orientation. There is a cluster immediately to the north of the site. Rural lanes are also identified as '*An important characteristic of Bentley Parish is its network of historic lanes which retain a strongly rural character as a result of their narrow width, sinuous nature, steep banks in places, grass verges and veteran trees.*'³⁷ Church Road is listed (paragraph 4.3.3) as one of the roads that '*make a strong contribution to the character of Bentley village and the wider landscape.*'³⁸

5.4.4 Key views are identified in Section 4.4 and Approaches and Gateways in Section 4.5, but these are restricted to the village of Bentley and do not include the whole parish or the site.

5.4.5 Section 4.7 contains a valued landscape assessment of land within the former SLA but beyond the proposed extension to the Suffolk Coast and Heaths NL. This can be found in Table 1: Value Landscape Assessment Pages 31 & 32. It is based on GLVIA Box 5.1 which was best practice at the time the report was written. Some key conclusions of Table 1³⁹ are provided below:

- **Landscape Quality (condition):** *The landscape of the arable and wooded plateau in the north of the Parish is in good condition - here historic patterns of enclosure, winding narrow lanes and woodlands remain intact..... The historic lane network is intact and retains its rural character.*
- **Scenic Quality:** *Scenic quality in the northern parts of the Parish derive from the combination of blocks of semi-natural broadleaved woodland which form a treed horizon and medium scale arable fields or areas of remnant parkland comprising areas of pasture with veteran trees or avenues. Whilst there is little notable change in topography, visual interest is derived from outstanding historic rural buildings which nestle in the landscape including Church of St Mary, Bentley Hall and aisled barn. ... There is a maturity and deeply rural character to this landscape.*
- **Rarity:** '*ancient woodland habitats, traditional orchards as well as veteran trees ...are rare for their relative concentration in the Parish.... fine examples of*

³⁶ Bentley Neighbourhood Plan: Landscape Appraisal Page 20 (CD G7)

³⁷ Bentley Neighbourhood Plan: Landscape Appraisal Page 22 (CD G7)

³⁸ Bentley Neighbourhood Plan: Landscape Appraisal Page 24 (CD G7)

³⁹ Bentley Neighbourhood Plan: Landscape Appraisal Pages 31-33 (CD G7)

designated and undesignated heritage assets and their tangible interrelationships is also rare.'

- **Conservation Interest:** 'Ancient woodland ... High concentration of rural listed buildings ... Intact pattern of historic winding narrow, and occasionally incised, lanes such as Church Road.'
- **Recreational Value:** 'high concentration of public rights of way and quiet rural lane's
- **Associations:** 'Tollemache family'

5.4.6 The Parish Landscape Appraisal concludes that the valued landscape assessment 'has revealed that **the northern part of the Parish has a weight of evidence to support its recognition as a valued landscape due to its intact historic patterns of settlement, ancient woodland, remnant parkland and rural lanes. Although the topography over much of this landscape is relatively flat, scenic quality is derived from the balanced and cohesive composition of mature trees, wooded skylines, arable fields, historic vernacular buildings and lack of modern development. The footpath network and winding rural lanes, coupled with gentle folds in landform, afford a range of sequential views across a rural backwater which impart strong perceptions of time depth.**' (Emphasis added) ⁴⁰

5.4.7 Section 5 of the Parish Landscape Appraisal concerns the sensitivity and capacity of the landscape fringing the settlement to accommodate development and is not relevant to this appeal.

5.4.8 Section 6 identifies Special Qualities to Conserve and Enhance which include:

- Historic network of narrow, winding, rural and sunken lanes
- Areas of ancient woodland creating wooded horizons and backdrops
- Deeply rural, high quality countryside especially across the north of the Parish
- Mature veteran oaks in hedgerows, along lanes and in remnant parkland
- Individual rural buildings associated with groups of trees or seen with wooded backdrop

5.4.9 Changes to avoid include:

- Erosion of rural lane character through introduction of new development, signage, kerbs, new junctions etc.

⁴⁰ Bentley Neighbourhood Plan: Landscape Appraisal Page 31 (CD G7)

- Development which masks the subtle changes in topography at the edge of the plateau
- Fragmentation of lanes due to the introduction of new access routes which can physically interrupt hedges, grass verges and embankments

5.4.10 Development guidelines that seek to inform new development include:

- Residential and employment development away from the village should avoid urbanising and fragmenting the area's historic rural character
- Ensure new development does not urbanise or fragment the integrity of rural lanes through the introduction of multiple new access points

5.5 Summary and Conclusion

5.5.1 Three studies have been undertaken to consider the value of the landscape in which the site is located.

5.5.2 Natural England undertook a Natural Beauty Assessment in 2017 which considered whether the Suffolk Coast and Heaths AONB Additional Project Area or any parts of it should be included in the designation. Whist some areas were recommended for inclusion and have subsequently been designated, the area in which the site is mainly located, Area D3 Shotley Peninsula Plateau, was not considered suitable for inclusion. The landscape around the site is specifically referenced on numerous occasions in the report as having many of the '*Natural Beauty Factors, Sub-factors and Evidence of Indicators*' for designation. It is noted as an area of higher landscape and scenic quality, where historic landscape patterns remain relatively intact. The subsequent designation of the Bentley CA confirms this assessment. However, it was considered too limited in extent for inclusion.

5.5.3 As a direct result of the Natural Beauty Assessment a Valued Landscape Assessment was commissioned for those parts of the Additional Project Area which were not proposed to be designated. One of the purposes of the study was to develop understanding of the area's natural beauty, special qualities, landscape and cultural features which contribute to its landscape value. The study identifies that the quality and condition of the landscape within the Additional Project Area varies with some areas being '*especially valued*'⁴¹ and other areas requiring enhancement. The landscape around the site is identified on numerous occasions as being within one of the areas that are especially valued.

⁴¹ AFA Valued Landscape Assessment Page 53 (CD G9)

5.5.4 Special qualities identified in the Valued Landscape Assessment which are present in the landscape around the site include the hall/church complex, the sinuous rural lanes that reflect patterns of the medieval landscape, ancient woodland and veteran trees, wooded skylines and views across rural farmland to individual or clusters of vernacular buildings.

5.5.5 A Landscape Appraisal of Bentley Parish was prepared for the Bentley Neighbourhood Plan (2019). This identified that '*the northern part of the Parish has a weight of evidence to support its recognition as a valued landscape due to its intact historic patterns of settlement, ancient woodland, remnant parkland and rural lanes. ... scenic quality is derived from the balanced and cohesive composition of mature trees, wooded skylines, arable fields, historic vernacular buildings and lack of modern development. The footpath network and winding rural lanes, coupled with gentle folds in landform, afford a range of sequential views across a rural backwater which impart strong perceptions of time depth.*'⁴²

5.5.6 There is a consensus in all the studies that have been undertaken that the northern part of the Parish of Bentley is a valued landscape and that this includes the church (which lies immediately to the north of the site) and land to the north of the church that encompasses Bentley Hall, Bentley Park, Bentley Old Hall and Bentley Manor. The ancient woodlands are also an integral part of the landscape value, and this includes Engry Wood which forms the western boundary to the site. The '*intact pattern of historic winding narrow, and occasionally incised, lanes such as Church Road*'⁴³ is another integral element of value and Church Road runs through the middle of the site.

5.5.7 None of the assessments described above have identified on a plan where the '*northern part of the Parish of Bentley*' begins. However, given the features described above I consider that Potash Lane is the only reasonable boundary that would encompass both Church Road and Engry Wood. Potash Lane is itself an historic, sinuous rural lane containing vernacular buildings and recently identified as the likely alignment of the Hundred Way, a route of probable Saxon origin. When I prepared the Planning Application Review in 2024, I concluded that the valued landscape identified in these assessments stretched as far south as Potash Lane. I consider that the robustness of my conclusion has been confirmed by the decision that the southern boundary of the Bentley CA should be Potash Lane.

⁴² Bentley Neighbourhood Plan: Landscape Appraisal Page 31 (CD G7)

⁴³ Bentley Neighbourhood Plan: Landscape Appraisal Pages 32 (CD G7)

6 Landscape Value

6.1 Introduction

6.1.1 GLVIA3 recommends that the value of a landscape is identified at the baseline stage. The sensitivity of a landscape is judged at the assessment stage as a combination of the value of the landscape and its susceptibility. Landscape susceptibility is development-specific and is only assessed once the potential impacts of a development are known. Landscape value is inherent.

6.1.2 In 2021 the Landscape Institute issued a Technical Guidance Note (TGN 2/21, CD G3) about *Assessing landscape value outside national designations*⁴⁴. It is the preferred methodology for identifying the special landscape qualities in the landscape that includes the site. TGN 2/21 (CD G3) builds on the assessment of value as set out in GLVIA3 Box 5.1 (CD G1) and supersedes that assessment.

6.1.3 Given the detailed landscape value assessments that have already been undertaken for the landscape in which the site is located another valued landscape assessment may be considered unnecessary. However, as all the assessments to date were undertaken prior to TGN 2/21 I considered it would have been useful to have one that was in accordance with current guidance.

6.1.4 I undertook a valued landscape assessment when I reviewed the planning application, and I reached the conclusion that the site was located within a valued landscape. This overall conclusion remains the same but there have been some changes in the conclusions I reached for the individual factors/ indicators which are identified below:

- The designation of the conservation area has confirmed the high value with regard to cultural heritage interest.
- The conclusion for Distinctiveness has been revised upwards to **High** given additional information in the Bentley CAAMP such as the description of the woodlands as a '*remarkable grouping of ancient woodlands*'.⁴⁵
- The conclusion with regard to the Functional Value of the landscape has been revised up to High/medium as I consider that previously I didn't give sufficient weight to the Suffolk Coast and Heaths AONB Management Plan 2023-28 (AONB Management Plan).

⁴⁴ I was one of the authors of TGN 2/21 (CD G3)

⁴⁵ Bentley Conservation Area Appraisal and Management Plan Page 8 (CD F1)

6.2 Landscape Value Assessment

6.2.1 The following assessment of landscape value is based on the factors and indicators identified in Table 1⁴⁶ of TGN 02/21.

6.2.2 In my assessment, I use the phrase '*the site and its immediate landscape*' to describe the area whose value I am assessing. This includes those parts of the wider landscape to which the site contributes, or which contribute to the site.

MB Table 4: Assessment of Landscape Value - the site and immediate context

Factor	Definition	Landscape Qualities	Value
Natural heritage	<i>Landscape with clear evidence of ecological, geological, geomorphological or physiographic interest which contribute positively to the landscape.</i>	The presence of ancient woodlands, hedgerows with mature hedgerow trees, including veteran trees, indicate clear ecological interest which contributes positively to character and appearance of the landscape. The arable fields have less ecological value.	High / medium
Cultural heritage	<i>Landscape with clear evidence of archaeological, historical or cultural interest which contribute positively to the landscape.</i>	The Church/Hall complex, the distribution of woodland, the still discernible dispersed settlement pattern, and vernacular farm complexes indicated significant cultural heritage interest. These landscape features are knitted together by the sinuous rural lanes, and the fossilised pattern of historic routes that can be found in the PRoW network. Conservation Area designation	High
Landscape condition	<i>Landscape which is in a good physical state both with regard to individual elements and overall landscape structure.</i>	The landscape is in good condition, and the historic pattern and overall landscape structure is still evident. There is field boundary loss, e.g. within the site.	High/ medium

⁴⁶ Table 1 includes all the factors previously covered by GLVIA Box 5.1 (CD G1).

Factor	Definition	Landscape Qualities	Value
Associations	<i>Landscape which is connected with notable people, events and the arts.</i>	Bentley was the original home of the Tollemache family. The woodlands in this area are associated with Oliver Rackham, one of the first historical woodland ecologists.	
Distinctiveness	<i>Landscape that has a strong sense of identity.</i>	The Bentley Church/Hall complex is distinctive as is the grouping of ancient woodlands. The wooded arable landscape is typical of plateau farmland in Suffolk.	High
Recreational	<i>Landscape offering recreational opportunities where experience of landscape is important.</i>	Dense network of PRoW which connect the different parts of the Parish and link to the wider countryside. Their character is enhanced due to their historic origins.	High
Perceptual (Scenic)	<i>Landscape that appeals to the senses, primarily the visual sense.</i>	An attractive landscape with few detractors. Principally the line of pylons that lies to the east of the railway which itself is mostly in cutting and not intrusive.	Medium/ high
Perceptual (Wildness & tranquillity)	<i>Landscape with a strong perceptual value notably wildness, tranquillity and/or dark skies.</i>	Not a wild landscape but with a strong sense of tranquillity despite some noise from the A12. Perceived as ' <i>a rural backwater</i> '.	High/ medium
Functional	<i>Landscape which performs a clearly identifiable and valuable function, particularly in the healthy functioning of the landscape.</i>	Identified in the AONB Management Plan as valued landscape, an important part of the setting of the NL, and as having links to the NL. The presence of ancient woodland along with historic hedges and many veteran trees all contribute to the healthily functioning of the landscape.	High/ medium

6.2.3 Overall, the value of the immediate landscape in which the site is located is **high**. It is considered to be a valued landscape for the purposes of the NPPF Paragraph 187a. Paragraph 187a requires that valued landscapes should be protected and enhanced in a manner commensurate with their statutory status or identified quality in the development plan. Policy LP 18 of the Babergh and Mid Suffolk Joint Local Plan requires development within the AONB Project Areas to have regard to the relevant Valued Landscape

Assessment. Development proposals in these areas should conserve their special qualities as identified in the Valued Landscape Assessments, and where relevant seek to deliver enhancements.

6.3 Status of Suffolk Coast and Heaths NL Additional Project Area

6.3.1 The Additional Project Areas are described in the AONB Management Plan as follows:

*'There are areas adjacent to the AONB that are considered important for the context of the nationally designated landscape. These areas are valued landscapes as defined by the National Planning Policy Framework and are an important part of the setting of the AONB. The Shotley Peninsula, along with other areas, have been subject to a Landscape Character Assessment that identifies the links to the current AONB and the importance of a co-ordinated land management approach.'*⁴⁷ (Emphasis added)

6.3.2 The AONB Management Plan describes the Additional Project Areas as an important part of the setting of the AONB. It is clear that there is not intervisibility between all parts of the Additional Project Areas and the Suffolk Coast and Heaths NL. The AONB Management Plan is clearly defining the setting of the NL as depending on more than mere intervisibility. The landscapes of the Additional Project Areas are supportive landscapes that affect the approaches to the NL and the perception of the NL as you move through the area. The geographical location of the Shotley Peninsular, adds to this. Located between the River Orwell and the River Stour the Shotley Peninsular sits behind and between two National Landscapes - Suffolk Coast and Heaths NL and the Dedham Vale and Stour Valley NL. See MB Figure 1.

6.3.3 My valued landscape assessment has been cognisant of the Additional Project Area status of the site, but it has gone beyond this and is based on the actual qualities of the landscape in which the site is located. An assessment of these qualities, based on my own site visits and the published assessments, makes it quite clear that the site is located within a valued landscape.

⁴⁷ Suffolk Coast and Heaths NL Management Plan 2023-28 Page 18

6.4 Summary

6.4.1 I have assessed the value of the immediate landscape in which the site is located to be high. I consider it to be a valued landscape for the purposes of the NPPF Paragraph 187a. The site is within a Suffolk Coast and Heaths NL Additional Project Area which is defined in the AONB Management Plan as an NPPF valued landscape. An assessment of valued qualities within the landscape, in accordance with the latest guidance from the Landscape Institute, reveals quite clearly that the landscape in which the site is located would be a valued landscape even without its Additional Project Area status.



7 Landscape Effects of the Proposals

7.1 The Proposals

7.1.1 The proposals are for construction of a solar farm (up to 40MW export capacity) with ancillary infrastructure and cabling, DNO substation, customer substation and construction of new and altered vehicular accesses. Access to the main site will be from an existing low key agricultural access off Potash Lane, at the junction with the bridleways that runs along Pond Hall Lane. Access will also be created across Church Road, linking the Western and Eastern Parts of the main site. Currently there is no access from this point on Church Road to the Western Part of the site.

7.2 Existing Historic Rural Character

7.2.1 As established above, the existing valued character of the site and its immediate landscape is drawn from the frequency and persistence of historic features within the landscape and the lack of modern development. The crossing of Church Road and the removal of sections of hedgerows to facilitate this access and the one from Potash Lane will result in physical harm to the historic features. In addition, the context will be entirely changed. Instead of the sense of a '*rural backwater*'⁴⁸ where the historic persistence of routes, ancient woodland and historic buildings has maintained its character, the landscape will be characterised by 21st century utilitarian structures which will be incongruous and harmful to the current character.

7.2.2 The access from Potash Lane will also change the character of that section of the Lane which is narrow with banked grass verges and overhanging trees. It will require the removal of a section of hedgerow on the northern edge of Potash Lane.

7.2.3 The development requires not only the installation of the solar panels but the associated ancillary infrastructure which includes

- Two substations with associated steel palisade fencing,
- 11 transformer stations (individual containers approximately 6.06m long x 2.44m wide x 2.90m high),
- Fencing and gates,

⁴⁸ Shotley Peninsula and Hinterland Landscape Character Assessment 2012/13 Pages 22-23

- c.2.2km of new/resurfaced internal access tracks (3.5 m wide and constructed using compacted Type 1 stone); and
- CCTV camera on poles.

7.2.4 This is a large scale intervention in the context of a landscape that has changed so little, and where the lack of modern development is noted as a key reason why it has retained its historic character.

7.2.5 There has been a loss of field boundaries, especially within the Western Part. However, this loss has not affected the ability to appreciate the historic features within the landscape that have persisted. The ancient woodland, the historic sinuous lanes and the vernacular buildings are all viewed within a wooded/hedged context. Church Farm and Bentley Church in particular can be appreciated across the field of the Western Part that has been opened up due to field boundary loss. There are no detractors within the site that currently harm its historic integrity.

7.3 Approach to Bentley Church and Hall

7.3.1 The current approach to Bentley Church and Hall along Church Road reflects the change that takes place within Bentley Parish when you travel from the south to the north. The modern village of Bentley, whilst it retains some buildings and places of historic value, has become dominated by small 20th century housing estates which have infilled the historic ribbon development and resulted in a loss of the historic character.

7.3.2 On immediately leaving the village travelling north, Church Road is flanked by residential development, and even when the properties cease a kerbed footway links from the village to the village school which is located north of the main body of the village. There is an evident change in the character of the road beyond the 30 mile/hour speed limit signs. Church Road becomes narrower, with banked sides topped with hedges. The open arable fields can be seen beyond the hedges during the winter months. The frequency of large hedgerow oak trees begins to increase. The frequency of trees within the hedgerow continues to increase beyond the junction with Potash Lane, although the hedgerow is less dense along this section of the road and the arable fields beyond the lane are clearly evident.

7.3.3 By the time you arrive at the Church and the small complex of historic properties it feels like you have left the modern village a long way behind. The church/ hall complex reinforces the historic character of the landscape that has preceded it. With the development in place this experience of approaching the church/ hall complex through a

little changed landscape would be lost. Beyond the village, shortly after the little changed section of Church Road begins it would be interrupted by the presence of the solar farm and the associated ancillary infrastructure. The panels and the fencing would be clearly visible from Church Road through the gaps in the hedge and through the access tracks. The opening up of two accesses, immediately opposite each other will not only allow views of the access tracks themselves, the panels and the fencing, but will be a totally incongruous addition to this historic, narrow lane.

7.3.4 Eventually some views would be screened by proposed planting but views of the access tracks and of the development down the tracks would remain on both sides of Church Road. Even when the proposed planting has established, in ten years or more, the current character of Church Road would not be restored, nor the current landscape experience of walking along Church Road and approaching the Church. The Church and the historic area around it would appear as the abrupt emergence of an historic enclave, oddly juxtaposed with a modern utilitarian electrical development, rather than an appropriate destination for a sinuous, narrow historic lane.

7.4 **Character of the Proposed Development**

7.4.1 The proposed development by its nature is rectilinear in character and composed of hard materials. This is in sharp contrast to the prevailing character of the landscape that is sinuous, irregular and soft in texture. Even the built features within the landscape, such as the roads are sinuous, with soft verges. The historic buildings are also often irregular in appearance and layout. The Bentley CAAMP describes the landscape as having retained '*the basic jigsaw of shapes*'⁴⁹ that are evident on the 1883 Tithe Map.

7.4.2 The proposed development will impose a strongly rectilinear pattern, composed of panels, access roads and fencing, onto this sinuous landscape. Due to the extent of the proposed development, it will overwhelm the existing character within the site.

⁴⁹ Bentley Conservation Area Appraisal and Management Plan Page 20 (CD F1)

7.5 Effect on Special Qualities

7.5.1 Part 3 of Policy LP18 states that development proposal in the Additional Project Areas should '*conserve their special qualities as identified in the Valued Landscape Assessments, and where relevant seek to deliver enhancements where the special qualities have been impacted by changes in farming practices or previous development.*'

Table 5: Effects on the Special Qualities of the site's immediate landscape

Identified Special Qualities	Presence in the landscape around the site
Hall/church complexes along with ancient woodland and rural lanes reflect patterns of the medieval landscape.	The historic and unspoilt character of two rural lanes will be adversely affected - Church Road and Potash Lane. Supportive character of the landscape to the south of the Hall/church complex will be lost. Landscape setting of one of the areas of ancient woodland will be diminished.
Remnant areas of parkland and notable veteran trees throughout area impart an established character	Landscape setting of some veteran and other notable trees will be harmed.
Sinuous lanes and patterns created by wavy edges to ancient woodland, rural winding lanes and old park boundaries and enclosure patterns.	The attractive patterns created by the sinuous lanes and the wavy edge to Engry Wood will be overwhelmed by the rectilinear nature of the solar farm.
Wooded skylines defined by ancient woodlands and highly valued for biodiversity.	The solar panels and fencing will interrupt views towards the wooded skylines seen from Pond Hall Lane to the west, Potash Lane to the south and from Church Road to the east.
Attractive open views across rural farmland to individual or clusters of vernacular buildings.	The view across the site towards Church Farm will be interrupted by solar panels and fencing. In time when the proposed planting grows it will be lost.



Identified Special Qualities	Presence in the landscape around the site
	Views across to the top of the Church Tower will also be seen across solar panels and fencing and in time lost entirely.

7.5.2 The proposed development will harm all the special qualities identified for the landscape in which the site is located. The sense of a largely unchanged landscape will be lost. For the reasons set out above, whilst the proposed planting is likely to be beneficial from an ecological perspective it will not restore the special qualities that are currently valued in the landscape.

7.5.3 With the solar farm in place the site would not be considered a valued landscape.

7.6 Proposed Mitigation

7.6.1 I understand that much of the mitigation planting is intended to achieve the BNG required for this site and my comments do not reflect the success or otherwise of the BNG.

7.6.2 The proposed planting would in time screen some views of the proposed development, but it would not restore the existing historic rural character which is reliant on the lack of any large scale modern development. The hedgerows proposed for the Eastern Part of the site do not reinstate the historic field boundaries which the AFA Landscape Response from Bentley Parish Council notes have a north south grain, whilst those proposed have an east west grain. The hedgerows relate to the solar farm needs, not historic patterns, e.g the need for a buffer around residential properties and veteran trees, and the requirements of BNG. If the solar farm panels and infrastructure is removed in 40 years times their rationale will be removed. They will not re-establish the historic character of the site.

7.6.3 I do not accept the Appellant's SoC (CD C8) claims that the landscape proposals will enhance the landscape (8.18) or result in a 'lasting positive legacy' (8.28). The unchanged historic qualities of the landscape will have been lost.

7.6.4 The appellant has proposed a number of amendments to the scheme although it is not clear whether they are claiming that these amendments would reduce the levels of landscape and visual harm compared to the scheme as submitted. I consider that the proposed amendments would not noticeably reduce the levels of harm for the following reasons.

- **Amendment A** - the proximity of the panels to Church Road was identified as an exacerbating factor in the harm to Church Road. The amended set back will not prevent Church Road from being sandwiched between solar farm developments. The proposed tree belt would eventually result in the loss of the existing character of Church Road, a hedged road with hedgerow trees with many opportunities to appreciate the open landscape beyond. If the trees establish it will become a road through woodland with incongruous accesses roads. The amendment would not maintain the existing landscape character which has been identified as a valued feature of the landscape.
- **Amendment B** - Intervisibility with Falstaff manor had not been identified a landscape or visual amenity issue.
- **Amendment C** - Views from the railway line were not identified as a landscape or visual amenity issue in my report at the planning application stage.
- **Amendments D & E** are for operational reasons and don't change the effectiveness of the mitigation

7.7 Landscape Sensitivity - the Site and Immediate Landscape

7.7.1 The sensitivity of the site is a combination of the **susceptibility** of the site (and the surrounding landscape) to the development proposed and the **value** placed on the site and the surrounding landscape.

7.7.2 The susceptibility to change of a landscape is its ability '*to accommodate proposed development without undue consequences for the maintenance of the baseline situation and/or the achievement of landscape planning policies and strategies*'.⁵⁰ GLVIA3 (CD H5) makes it clear that the assessment of susceptibility '*should not be recorded as part of the landscape baseline but should be considered a part of the assessment of effects.*'⁵¹

7.7.3 The site and its immediate landscape has **medium/high** susceptibility to the proposed development because the landscape is currently characterised by the persistence of historic features and the lack of modern development.

7.7.4 Considering the **high** value of the landscape in which the site is located, I consider that the sensitivity of the site and its immediate landscape to the proposed development is **medium/high**.

⁵⁰ GLVIA3 Page 88, Paragraph 5.40

⁵¹ GLVIA3 Page 89, Paragraph 5.42

7.7.5 The magnitude of change to the site and the immediate landscape is **medium**. The overall effect of the proposed development on the site and its immediate landscape would be **moderate/major adverse**.

7.7.6 I do not consider that the proposed mitigation would lessen the harm identified as the proposed planting would not restore the existing historic character and the harm would remain **moderate/major adverse** for the lifetime of the development.

7.8 Summary

7.8.1 The proposals would introduce extensive utilitarian infrastructure into a landscape that is valued due to the frequency and persistence of historic features within the landscape and the lack of modern development. Due to its hard rectilinear character, the proposed development will be incongruous, and result in a loss of the existing character, and diminish the sense that this is an historic rural backwater. The twin accesses on Church Road and the access from Potash Lane will harm the existing valued character of these historic routes.

7.8.2 The approach to Bentley Church and Hall along Church Road will be significantly adversely affected with Church Road sandwiched between the two parts of the proposed development. The Church and the historic area around it would appear as the abrupt emergence of an historic enclave, oddly juxtaposed with a modern utilitarian electrical development, rather than an appropriate destination for a sinuous, narrow historic lane.

7.8.3 This is a large scale intervention in the context of a landscape that has changed so little. The proposed development would harm all the special qualities identified in the AFA Valued Landscape Assessment, contrary to Policy LP18. The sense of a largely unchanged landscape will be lost.

7.8.4 The proposed mitigation may limit some views of the development eventually, but will not restore the existing valued landscape character, they will not result in landscape enhancement or a positive legacy. The proposed amendments would not reduce the level of landscape harm.

7.8.5 The value of the landscape in which the site is located is **high** and the susceptibility to the proposed development is **medium/high** consequently landscape sensitivity is **medium/high**. The magnitude of change is **medium** and the overall effect of the proposed development on the site and its immediate landscape would be **moderate/major adverse**.

8 Effects on Visual Amenity

8.1 Introduction

8.1.1 Visual changes that result in changes to landscape character have been described Section 7 and where possible I do not repeat those details, such as the incongruity of the very rectilinear and modern character of the development in this sinuous, small scale historic landscape, here. This section is concerned with the visual receptors that will experience those changes. Visual effects are a result of the sensitivity of visual receptors to the proposed development and the magnitude of changes to existing views.

8.1.2 GLVIA3 provides guidance on the relative sensitivity of different visual receptors (Page 113-114). In summary, the most sensitive receptors are:

- Residents at home;
- People engaged in outdoor activities whose attention is focused on the landscape and views; and
- Visitors to heritage assets or other attractions where views are an important part to the experience.

8.1.3 The least sensitive receptors are:

- People engaged in outdoor sports or activities which do not depend on an appreciation of views; and
- People at their place of work (although this can vary).

8.1.4 The sensitivity of road users varies. People on busy or main routes are considered to have medium or low sensitivity, whilst users of rural roads or scenic routes will have medium or even high sensitivity.

8.2 LVIA Visualisations

8.2.1 Whilst the LVIA visualisations are helpful in understanding the visual effect of the development as well as the usual limitations of visualisations they are less helpful than they could be because of :

- The use of panoramas without accompanying single frame images
- The omission of a viewpoint showing the access from Church Road to the west
- The omission of a viewpoint showing the access from Potash Lane.
- The omission of visualisations from Vps 5 & 6



8.2.2 The use of panoramas without single frame images is known to result in an underestimation of scale and distance. This is compounded because it states on the visualisations that they should be printed on '*paper at the following size. 841mm width x 420mm height (A1 width x A3 height)*'⁵². Few people have access to printing at this scale, so the images are generally seen either printed at A3/A4 or viewed on screen. This results in a further underestimation of scale and distance.

8.2.3 It states on the visualisations that they should be viewed '*at a comfortable arm's length.*'⁵³ This is very difficult to achieve with a print that is 841mm, especially when on site which is where the visualisations should be viewed.

8.2.4 To gauge the underestimation of scale and distance when on site it is useful to compare existing objects with the photograph and compare how far away and how large they appear in reality with how far away and how far they appear in the visualisations.

8.2.5 Two key interventions in the landscape are the crossing of Church Road and the access from Potash Lane. We do not have a visualisation showing the western access from Church Road or a visualisation along Church Road showing both access points. The accesses will be visible in the same view both from north of the access points and from south.

8.2.6 We do not have a visualisation showing the access from Potash Lane. The existing field access is little more than a gap in the hedge where the ditch and bank that runs along the northern edge of Potash Lane has been filled in / flattened. There are overhanging trees on the section of Potash Lane to the west along which the construction vehicles will come. The access is described in the Transport statement as follows: '*Beyond Grove Farm vehicles will access the western site parcel via a new construction access off Potash Lane. The proposed construction access will feature a tapered junction bell mouth to accommodate the swept paths of an 18m long low loader. The proposed access arrangements are shown on Drawing No. 3223-01-D04 in Appendix D.*'⁵⁴ A visualisation showing the proposed tapered bell mouth junction would have been helpful in understanding the impact of the access on Potash Lane.

⁵² LVIA Visualisations (CD A6)

⁵³ LVIA Visualisations (CD A6)

⁵⁴ Transport Statement Paragraph 3.2.6 (CD A15)

8.3 Visual Assessment

8.3.1 The visual receptors who will be affected by the proposed development are considered below in the following groups:

- Users of Church Road, pedestrians and vehicles users. (LVIA Vps 1, 2 and 3) (High sensitivity).
- Users of Potash Road, pedestrians and vehicles users. (LVIA Vps 4 & 5) (High sensitivity).
- Users of Pond Hall Lane PRoW, pedestrians and equestrians (LVIA Vp 5 and 6) (High sensitivity).
- Other PRoW users (LVIA Vps 7-12) (High sensitivity).

8.4 Users of Church Road (LVIA Vps 1, 2 and 3)

8.4.1 Users of Church Road have high sensitivity. They are travelling through the Bentley CA and either just leaving the Church/Hall complex or about to arrive at it. As described above the visual changes on Church Road will be significant due to the presence of solar panels on either side of the road, the two new access roads facing each other and views into the development along the access roads.

8.4.2 The magnitude of change will be **high** and the impact on visual amenity of users of Church Road will be **major adverse**. When planting has established views of the components of the development will be reduced but not removed. The visualisation from Vp 2 shows that even if one accepts that the planting will eventually hide the panels and fencing entirely, which I do not accept - the view is changed utterly. The track remains, and views to the far valley side are lost. Photographs do not adequately convey topography and the distant views to the valley side are more evident on the ground than in the visualisation.

8.4.3 Three important views (IV) within the Bentley CA (IV 1, 2 & 3) on Church Road will be adversely affected by the development. They are described in the CAAMP⁵⁵ as follow:

- 1. View to Engry Wood from the field entrance in Church Road next to Little Bush property. (LVIA Vp 3)
- 2. View across to Engry Wood from the field entrance in Church Road.
- 3. View across to Engry Wood from the field entrance in Church Road next to Falstaff Cottages. (LVIA Vp 1)

⁵⁵ Bentley Conservation Area Appraisal and Management Plan Page 37 (CD F1)

8.4.4 The screening of the panels and other infrastructure does reduce some of the harm to visual amenity although it does not reduce the harm to the landscape character. When the planting has eventually matured the magnitude of change for users of Church Road will be **medium/high** and the impact on visual amenity will be **moderate/major adverse**.

8.5 **Users of Potash Road, (LVIA Vps 4 & 5)**

8.5.1 Potash Road is a no through road and therefore mostly used by pedestrians apart from residents and farm use. The visualisation from Vp 4 show how the existing view across the field to the wooded backdrop provided by the woodland around the Church and Church Farm will be entirely lost, including winter views of the Church tower. From Vp 4 there are also views across to Engry Wood although these can't be seen in the visualisation. Looking toward Engry Wood the panels are much closer to the viewpoint. The panels will entirely replace the views of the woodland with only the very top of the trees visible above.

8.5.2 Vp 5 is taken from the corner of Potash Lane and Pond Hall Lane, but no visualisation has been prepared and as mentioned above there is no viewpoint showing the effect of the access arrangements on Potash Road. The magnitude of change will be **high** and the impact on visual amenity of users of Potash Lane will be **major adverse**.

8.5.3 Three IVs within the Bentley CA (IV 5, 6 & 7) on Potash Lane will be adversely affected by the development. They are described in the CAAMP⁵⁶ as follow:

- IV5. View of the upper parts of St Mary's Church tower from field opening in Potash Lane to the right of the track to Falstaff Cottages entrance. This view will be lost.
- IV6. Long views from wide field entrance in Potash Lane to Engry Wood and the Church tower. Close to LVIA Vp 4
- IV7. Long views from field entrance in Potash Lane to Engry Wood, Church Farm and the Church tower. This view is at the access road to the development.

8.5.4 As with users of Church Road when the planting eventually establishes it will remove some views of the development, although not the access road. However, it will also result in the loss of the existing characteristic views identified in the CAAMP as contributing to the significance of the Bentley CA. Views across to the wooded horizon with Church Farm and the top of the Church tower animating the view will be lost.

⁵⁶ Bentley Conservation Area Appraisal and Management Plan Page 37 (CD F1)

8.6 Users of Pond Hall Lane PRoW (LVIA Vp 5 and 6)

8.6.1 There have been no visualisations prepared for Pond Hall Lane. There will be some clear views from locations on the PRoW and winter views from other parts where it is hedge lined. It is likely that the scale of the development will be evident in these views which will replace current views of the '*balanced and cohesive composition of mature trees, wooded skylines, arable fields, historic vernacular buildings and lack of modern development*'⁵⁷ described as contributing to the scenic beauty of the area.

8.6.2 The development will be set further back from Pond Hall Lane than from Church Road or Potash Lane and combined with the intermittent screening will result in a **medium/high** magnitude of change and the impact on visual amenity of users of Pond Hall Lane will be **moderate/major adverse**.

8.6.3 One IV within the Bentley CA (IV 8) on Pond Hall Lane will be adversely affected by the development. It is described in the CAAMP as follows; '*Views towards Engry Wood and the distant landscape south of Engry Wood due east towards the plantations on the banks of the Orwell.*'⁵⁸

8.6.4 When the planting eventually establishes some views of the development will be removed but the existing views will not be restored. The magnitude of change will be **medium** and the impact on visual amenity of users of Pond Hall Lane will be **moderate adverse**.

8.7 Other PRoW users (LVIA Vps 7-12)

8.7.1 Although there are likely to be glimpsed winter views of the development from the wider PRoW system they will not be of the same magnitude as the views described above and will not have significant adverse impacts on the visual amenity of users of those PRoW. However, it is always important to remember that users of PRoW and local roads are likely to be using a number of roads and PRoW and it is almost certain that any user of the PRoW network around Bentley will experience some views of the development in the course of their walk.

8.8 Summary

8.8.1 Visual effects are a result of the sensitivity of visual receptors to the proposed development and the magnitude of changes to existing views. There are three groups of

⁵⁷ Bentley Neighbourhood Plan: Landscape Appraisal (CD G7) Page 31

⁵⁸ Bentley Conservation Area Appraisal and Management Plan Page 37 (CD F1)

receptors, all of whom have high sensitivity who will be significantly adversely affected by the proposed development:

- Users of Church Road (LVIA Vps 1, 2 and 3)
- Users of Potash Road, (LVIA Vps 4 & 5)
- Users of Pond Hall Lane PRoW, (LVIA Vp 5 and 6)

8.8.2 There will be a **high** magnitude of change for users of Church Road and Potash Lane as existing valued views will be replaced by views of utilitarian electrical infrastructure. This will be particularly harmful on Church Road where the access road crosses the road and will allow views into the development on both sides; and on Potash Road where the site access is proposed. The magnitude of change will be **high** and the effect on the visual amenity of users of Church Road and Potash Lane will be **major adverse**.

8.8.3 When the proposed planting eventually establishes some views of the infrastructure within the development will be removed but the existing views will not be restored. The magnitude of change will be **medium/high** and the impact on visual amenity will be **moderate/major adverse**.

8.8.4 For users of Pond Hall Lane PRoW, the magnitude of change will be **medium/high** and the impact will be **moderate/major adverse** reducing to **moderate adverse** when planting finally establishes.

8.8.5 There are seven important views identified in the Bentley CAAMP that will be significantly adversely affected by the proposed development.

9 The Conclusions of the LVIA

9.1 Introduction

9.1.1 A fundamental requirement of a landscape assessment is to establish the landscape baseline. Alongside field work this requires a desk top study of all landscape assessments that are relevant to the site and/or the development proposed. The conclusions of the LVIA (CD A4) cannot be relied on because it:

- Fails to identify that the site is located within the Suffolk Coast and Heaths NL Additional Project Area
- Fails to take into account the conclusions of the Natural Beauty Assessment of the Suffolk Coast & Heaths Additional Project Areas
- Fails to take into account the Valued Landscape Assessment undertaken to determine the special qualities in the landscape within the Additional Project Area
- Fails to identify that Policy LP18 - Area of Outstanding Natural Beauty of the Babergh Joint Local Plan Part 1 November 2023 (CD E1) is relevant to the site.

9.2 Additional Project Area

9.2.1 The LVIA fails to identify the relevance of Policy LP18 because it had failed to identify that the site was within the Additional Project Area. The supporting text for the policy specifically refers to the Shotley Peninsula Additional Project Area in which the site is located and requires that '*development proposals in these areas should conserve their special qualities as identified in the Valued Landscape Assessments, and where relevant seek to deliver enhancements where the special qualities have been impacted by changes in farming practices or previous development.*' (Emphasis added)

9.2.2 The LVIA does reference the Landscape Appraisal prepared as part of the Bentley Neighbourhood Plan (G7) and quotes from its conclusion that '*the northern part of the Parish has a weight of evidence to support its recognition as a valued landscape due to its intact historic patterns of settlement, ancient woodland, remnant parkland and rural lanes.*'⁵⁹ The text that precedes the quote says that '*The valued landscape appraisal was undertaken for the northern part of the Parish covering the landscape outside of the Suffolk Coast and Heaths AONB.*'⁶⁰ This would include the site. There is no discussion as

⁵⁹ LVIA Paragraph 4.3.46

⁶⁰ LVIA Paragraph 4.3.46

to whether the author of the LVIA agrees that the weight of evidence supports '*its recognition as a valued landscape.*' The conclusions of the Bentley Landscape Appraisal do not appear in the Summary of Landscape Character.

9.3 Judgments on Value

9.3.1 The LVIA does not undertake a valued landscape assessment in accordance with TGN 2/21 (CD G3) which is surprising as LVIA paragraph 4.3.46 refers to the valued landscape appraisal undertaken in the Bentley Landscape Appraisal (CD G7) and the fact that it was based on '*Box 5.1 of the GLVIA.*' Whilst current at the time the Bentley Landscape Appraisal was undertaken it had been superseded by TGN 2/21 by the time the LVIA was prepared. Despite this, the factors identified in the LVIA Methodology '*that can help in identifying valued landscapes*'⁶¹ are those from Box 5.1.

9.3.2 Assessments of landscape value should be undertaken at the baseline stage of the assessment as '*Landscape value is the 'inherent' component (of sensitivity), which is independent of the development proposal.*'⁶² There is no assessment of landscape value in the baseline section of the LVIA. The Appellants SoC does not correct this omission.

9.3.3 Judgements on value can be found within LVIA *Section 6 Assessment of Effects. Section 6.3 Operational Phase: Landscape* includes assessments of value in relation to individual components of the landscape but the judgments on value are not supported by either a Box 5.1 or TGN 02/21 assessment and they appear to be interchangeable with the assessments of susceptibility. TGN 02/21 makes clear that '*When assessing landscape value of a site as part of a planning application or appeal it is important to consider not only the site itself and its features/ elements/ characteristics/ qualities, but also their relationship with, and the role they play within, the site's context. Value is best appreciated at the scale at which a landscape is perceived - rarely is this on a field-by-field basis.*'⁶³ This is particularly relevant regarding this site because of the role that its undeveloped character plays in supporting the more intact historic landscape which lies to the north and west. Whilst it is not helpful to assess landscape value on a field by field basis it is even less helpful to assess it on a feature by feature basis.

⁶¹ LVIA Appendix 1 Methodology Paragraph 2.1.7 (CD A4)

⁶² TGN 2/21 Paragraph 2.3.1 (CD G3)

⁶³ TGN 2/21 Paragraph 2.4.5 Page 12 (CD G3)

9.3.4 There are no assessments of value in Section 6.4 which considers effects on landscape character although judgments do appear in the tables in Appendix 4 Landscape Effects and a brief analysis. There is some inconsistency in the Table with regard to Ancient Estate Claylands LCT:

- The header row says value is medium but in the discussion on Sensitivity it says, '*medium to high value*'.
- The value column for Ancient Estate Claylands says '*Limited heritage interest*' whilst the sensitivity discussion says, '*Heritage and nature conservation is of local interest.*'

9.3.5 Although the LVIA uses the term LCA when discussing the landscape character, they are not in fact LCAs but LCTs, landscape character types, that can be found across Babergh District and in fact across Suffolk. Only the Shotley Peninsula Assessment (CD G6) defines Landscape Character Areas. As the TGN says '*Value is best appreciated at the scale at which a landscape is perceived*'⁶⁴. Not only is this rarely on a field-by-field basis but it is also rarely on a LCT basis. As identified in other studies the value of the landscape in the north of Bentley Parish is greater than the landscape in the south of the parish (outside of the Suffolk Coast and Heaths NL) yet they are both within the same two LCTs with the boundary between them separating the land west and east rather than north and south.

9.3.6 The LVIA reaches different conclusions on the sensitivity of the Ancient Estate Claylands LCT and the Ancient Estate Farmlands. The former is judged to have medium sensitivity and the latter medium high sensitivity. It is difficult to see a difference on the ground with regard to the site and its immediate landscape between the two LCTs this is another indication of why assessing landscape value, susceptibility and sensitivity at a LCT scale is rarely helpful in understating the actual landscape value, susceptibility and sensitivity of a site and its immediate landscape.

9.3.7 It is significant that even without identifying that the site was located within the Additional Project Area or considering the studies which had assessed the special qualities of the landscape within the Additional Project Area, the LVIA concludes that all of the LCTs that cover the site have **medium to high value**.

⁶⁴ TGN 2/21 Paragraph 2.4.5 Page 12 (CD G3)

9.4 Applicant's Response

9.4.1 Following the submission of the application Bentley PC appointed AFA to review the application (AFA Application Review, CD B26). This review concluded that that '*the LVIA does not include a thorough understanding of the value of the area*'⁶⁵ and refers to the Additional Project Area. The AFA Application Review notes that neither the Natural Beauty Assessment (CD G8) nor the Valued Landscape Assessment (CD G9), both independent evaluations, are referred to in the LVIA. The AFA Application Review also makes a number of other criticisms of the LVIA, with which I generally agree.

9.4.2 The applicant's response to the AFA Application Review is contained in a letter dated 9th July 2024 from Axis (Axis response letter CD A39) which considered several responses from consultees. It included a section on landscape and visual issues, and it is only that section that I have considered.

9.4.3 The Axis response letter complains that the fact that the site was within the Additional Project Area was '*not highlighted by the Council in the Pre-Application Advice.*' Nor was it raised by the Consultant at Place Services⁶⁶ who was commissioned to review the application. However, the Axis response letter accepts that that Policy LP18(3) is relevant, it lists the Special Qualities identified for the Western Wooded Plateau Assessment Area that includes the site, and it accepts that they are '*particularly well expressed around Bentley Hall and Church*'⁶⁷.

9.4.4 The Axis response letter claims that the site is not connected to the area around Bentley Hall and Church but instead belongs to '*the wider rural landscape to the south of this more intimate landscape setting.*' I disagree with this conclusion, and the AFA Application Review (CD B26) also disagrees with this conclusion. I consider that the decision to draw the southern boundary of the Bentley CA along Potash Lane supports my judgment on this issue.

9.4.5 The Axis response letter suggests that the edge of Engry Wood is the only example of '*sinuous lanes and patterns*' connected to the site. I disagree with this conclusion as it ignores Pond Hall Lane, Potash Lane and Church Road.

9.4.6 The Axis response letter concludes by saying that '*the overall sensitivity of the Site would remain between medium-high and high as reported in the LVIA.*'⁶⁸ It is unclear what

⁶⁵ AFA Comments on the LVIA for Grove Farm Solar, Bentley Page 2 (CD B26)

⁶⁶ The Consultant at Place Services is not the Council's Landscape Officer but an independent landscape consultant.

⁶⁷ Letter dated 9th July 2024 from Axis Page 6 (CD A39)

⁶⁸ Letter dated 9th July 2024 from Axis Page 7 (CD A39)

judgment in the LVIA this is referring. LVIA Paragraph 6.3.6 describes the overall sensitivity of the main site as '*medium-high*'. This only refers to the site itself and does not reflect the context of the site.

9.4.7 The Axis response letter suggest that the mitigation planting proposed would '*improve*'⁶⁹ the landscape. For the reasons set out in Section 7 above I do not consider that the mitigation planting would be able to compensate for the loss of the existing valued landscape character, much less improve it.

9.4.8 The Axis response letter reiterates the conclusions of the LVIA and states that '*it is clear this previous omission does not affect the overall conclusion of the LVIA.*'⁷⁰ It is surprising at the very least that the failure to identify that the site was within an area identified as having special landscape qualities could have had no effect on the conclusions reached in the LVIA.

9.5 Response from Consultant at Place Services (CD B19)

9.5.1 The Consultant at Place Services did not identify that the LVIA had failed to recognise that the site was within the Additional Project Area. Nor did they identify that as a consequence the independent landscape evaluations that had been undertaken for the Additional Project Area had not been included in the baseline understanding of the site and its immediate landscape. As a result of this I do not consider that the conclusions of the Consultant at Place Services are robust. BDC were concerned that this might be the case and therefore instructed me to review the application and the consultation responses. Based on all the relevant independent landscape assessment for the site and its immediate landscape I have reached a different conclusion to that reached by the Consultant at Place Services. My reasons for this are set out in my evidence above.

⁶⁹ Letter dated 9th July 2024 from Axis Page 8 (CD A39)

⁷⁰ Letter dated 9th July 2024 from Axis Page 8 (CD A39)

9.6 Summary

9.6.1 The conclusions of the LVIA cannot be relied on because it fails to identify that the site is located within Additional Project Area and does not consider the findings of independent landscape evaluations undertaken for the landscape in which the site is located. In addition, it fails to identify that Policy LP18 of the Babergh JLP is relevant to the site. The response from the applicant when this was identified by Bentley PC was that these omissions it made no difference to the overall conclusion of the LVIA.

9.6.2 The LVIA does not undertake an assessment of Landscape Value in accordance with TGN 2/21, and none has been provided in the Appellant's SoC (CD C8). The LVIA conclusion that the mitigation planting will 'improve' the landscape illustrates that the LVIA does not have a clear understanding of the special qualities of the landscape in which the site is located, which are derived from the persistence of the historic landscape pattern and the scarcity of modern development.



10 Alternative Sites Assessment

10.1 Alternatives

10.1.1 Appendix 3 contains a table that sets out the conclusion of the Updated Alternative Sites Assessment (ASA) (CD C24) with regard to landscape and visual matters. I have separated out the comments from the Updated ASA into the various landscape and visual aspects that are compared.

10.1.2 In general:

- The presence of PRoW within the alternatives sites seems to have been double counted. It has a category of its own and it is also referenced in the Landscape and Visual category where it is mentioned more than once for some sites.
- Visual impact seems to have been prioritised over landscape impacts. For example, Site C1 is considered to have less landscape sensitivity than the appeal site but is overall considered to be less preferable than the appeal site due to visual factors.

10.1.3 Appendix 3 contains a detailed assessment of the Alternative Sites. My conclusions are that I agree that sites F2, F3 and H2/3 are more sensitive from a landscape and visual perspective than the appeal site. I disagree that sites C1 and C2 overall are more sensitive.

10.1.4 I consider that sites C1 and C2 have less landscape sensitivity than the appeal site. C1 in particular is located close to the edge of Ipswich and is affected by both high voltage pylons and views towards the urban edge. Both sites C1 and C2 are crossed by several PRoW and this increases their visual sensitivity, although they do not have the same degree of visual sensitivity that results from the historic character of the landscape surrounding the site and its designation as a conservation area. Overall, I consider that from a landscape and visual perspective Site C1 is preferable to the appeal site and that Site C2 is equivalent.



11 Compliance with Landscape Planning Policies

11.1 Introduction

11.1.1 This section assesses the proposals in the context of the relevant landscape related planning policies. It considers the proposals against the policies as drafted. It does not consider the weight to be attributed to the policies or inconsistency with the policies. It does not undertake the planning balance. These issues are addressed in the evidence of the Council's planning witness.

11.2 Babergh and Mid Suffolk Joint Local Plan - Part 1 (CD E1)

11.2.1 The proposed development:

- Fails to conserve or enhance landscape character. It does not respect the strong interrelationship between the landscape and the historic environment identified in the Bentley CAAMP '*Bentley Conservation Area's significance is inherently linked with its open rural aspect and the relationships between buildings, some deliberate, many incidental.*'⁷¹
- Would be in marked contrast to the existing landscape character and could not be integrated without harm to the existing landscape character, local distinctiveness and the identity of the Bentley Hall/ Church complex. The proposed development would result in significant adverse landscape and visual impacts on both the natural and the built environment.
- Would therefore conflict with **Policy LP17** as set out in the 2nd RfR

11.2.2 The proposed development:

- Has not taken account of the relevant Valued Landscape Assessment for the Additional Project Area as required by Policy LP 18.
- Did not have regard to the '*special qualities as identified in the Valued Landscape Assessments*'⁷² as it was unaware of the requirement when the scheme was developed and the application made.
- Would harm all of the identified special qualities as set out in 7.5 above.
- Would therefore conflict with **Policy LP18** as set out in the 2nd RfR.

⁷¹ Bentley Conservation Area Appraisal and Management Plan Page 37 (CD F1)

⁷² Babergh and Mid Suffolk Joint Local Plan - Part 1 (CD E1) paragraph 15.25

11.2.3 The proposed development has not effectively mitigated the impact on the landscape and is therefore in conflict with Policy LP25 as set out in the 2nd RfR.

11.3 Bentley Neighbourhood Plan (CD E2)

11.3.1 The proposed development:

- Would not maintain or enhance the quiet and tranquil character of the setting to the village.
- Would conflict with rather than reflect its qualities and character and consequently diminish the high quality and historic rural landscape, identified in the Bentley Landscape Appraisal.
- Would therefore conflict with Policy BEN 3 as set out in the 2nd RfR.

11.3.2 The proposed development:

- Has not considered the landscape characteristics of the site and its vicinity in the development of the scheme.
- Would erode the character of two historic rural lanes including fragmentation as a result of the Church Road and Potash Lane accesses.
- Has not satisfactorily mitigated the impacts on landscape character.
- Would therefore conflict with Policy BEN 7 as set out in the 2nd RfR.

11.4 National Planning Policy Framework (CD D1)

11.4.1 The proposed development would support the transition to net zero by 2050 (Paragraph 161) but it would not:

- Protect or enhance the natural, built or historic environments (Paragraph 8c);
- Reflect the character, needs and opportunities of the Bentley landscape (Paragraph 9);
- Be sympathetic to local character or history, including the surrounding built environment and landscape setting (Paragraph 135b & c);
- Maintain a strong sense of place (Paragraph 135d);
- Protect or enhance a valued landscape, failing to respect the identified qualities as set out in Policy LP18 (Paragraph 187a);
- Recognise the intrinsic character and beauty of the countryside (Paragraph 187b).

11.5 Summary

11.5.1 The proposed development, due to its unsympathetic character and its failure to recognise the special qualities of the landscape in which it is proposed, would be in conflict with both local and national policies. It would erode the character of a well-preserved landscape that has remained largely unaltered and free from modern development. It would introduce an abrupt, alien and jarring form of development into a valued historic landscape.



12 Summary and Conclusions

12.1 Introduction

12.1.1 My evidence is given on behalf of BDC and addresses the second RfR with regard to appeal D3505/W/25/3370515, regarding an application (DC/23/05656) for the construction of a solar farm (up to 40MW) and associated infrastructure.

12.2 Existing Landscape Character: Published Landscape Character Assessments

12.2.1 The site is located within NCA 82: Suffolk Coast and Heaths (CD G4) and key characteristics of NCA 82, such as the presence of numerous country house estates, are evident in the landscape surrounding the site.

12.2.2 Within the Suffolk County Landscape Character Assessment (CD G5), the site includes three LCTs. LCT 1 Ancient Estate Claylands, LCT 2 Ancient Estate Farmlands and LCT 18 Rolling Valley Farmlands (MB Figure 3). Both LCT 1 and LCT 2 are located on the plateau with heavy clay in LCT 1 giving way to easily farmed rich loams in LCT2. Ancient woodlands and hedged fields are features of both LCTs, as is scattered settlement. LCT 18 which is located on the eastern edge of the site, is topographically different with valley sides some complex and steep.

12.2.3 Within the Shotley Peninsula and Hinterland Landscape Character Assessment (CD G6) the site is located within two LCAs, Shotley Peninsula Plateau LCA and the Samford Valley LCA. The presence of ancient woodland and scattered settlement is noted for Shotley Peninsula Plateau LCA, as well as the network of single tracked lanes and ancient routes fossilised as PRoW. The area is described as being perceived as a rural backwater. The notable pattern of estate halls including Bentley Old Hall, Bentley Manor and Bentley Hall is identified as a distinctive landscape feature.

12.2.4 The eastern edge of the site is within a tributary valley to the main valley in the Samford Valley LCA. The railway line and pylon line which run this tributary valley are noted as adversely affecting perceptions of tranquillity.



12.3 Existing Landscape Character - Appeal Site and Immediate Context

12.3.1 The site is located in the northern part of Bentley Parish, within the Bentley Conservation Area and separated from the modern village of Bentley.

12.3.2 The comprises three distinct areas, with the two parts of the Main Site being separated by the historic Church Road. Almost all the boundaries to the site, in particular West of Church Road, are formed by historic landscape features such as Engry Wood, Pond Hall Lane and Potash Lane.

12.3.3 The Main Site consist of two arable fields, medium/large and medium, which are enclosed by woodland, and hedged/treed roads. Views across the fields, available from the PRoW, through gaps in the hedges, and down agricultural access points, are characterised by a '*balanced and cohesive composition of mature trees, wooded skylines, arable fields, historic vernacular buildings and lack of modern development.*'⁷³

12.4 Independent Landscape Value Assessments

12.4.1 Three studies have been undertaken to consider the value of the landscape in which the site is located.

- Natural Beauty Assessment (CD G8);
- Valued Landscape Assessment (CD G9);
- A Landscape Appraisal of Bentley Parish (G7);

12.4.2 Natural England undertook a Natural Beauty Assessment in 2017 which considered whether the Suffolk Coast and Heaths AONB Additional Project Area or any parts of it should be included in the designation. Whist some areas were recommended for inclusion and have subsequently been designated, the area in which the site is mainly located, Area D3 Shotley Peninsula Plateau, was not considered suitable for inclusion. The landscape around the site is specifically referenced on numerous occasions in the report as having many of the '*Natural Beauty Factors, Sub-factors and Evidence of Indicators*' for designation. It is noted as an area of higher landscape and scenic quality, where historic landscape patterns remain relatively intact. The subsequent designation of the Bentley CA confirms this assessment. However, it was considered too limited in extent for inclusion.

12.4.3 As a direct result of the Natural Beauty Assessment a Valued Landscape Assessment was commissioned for those parts of the Additional Project Area which were not proposed to

⁷³ Bentley Neighbourhood Plan: Landscape Appraisal (CD G7) Page 31

be designated. One of the purposes of the study was to develop understanding of the area's natural beauty, special qualities, landscape and cultural features which contribute to its landscape value. The study identifies that the quality and condition of the landscape within the Additional Project Area varies with some areas being '*especially valued*'⁷⁴ and other areas requiring enhancement. The landscape around the site is identified on numerous occasions as being within one of the areas that are especially valued.

12.4.4 Special qualities identified in the Valued Landscape Assessment which are present in the landscape around the site include the hall/church complex, the sinuous rural lanes that reflect patterns of the medieval landscape, ancient woodland and veteran trees, wooded skylines and views across rural farmland to individual or clusters of vernacular buildings.

12.4.5 A Landscape Appraisal of Bentley Parish was prepared for the Bentley Neighbourhood Plan (2019). This identified that '*the northern part of the Parish has a weight of evidence to support its recognition as a valued landscape due to its intact historic patterns of settlement, ancient woodland, remnant parkland and rural lanes. ... scenic quality is derived from the balanced and cohesive composition of mature trees, wooded skylines, arable fields, historic vernacular buildings and lack of modern development. The footpath network and winding rural lanes, coupled with gentle folds in landform, afford a range of sequential views across a rural backwater which impart strong perceptions of time depth.*

⁷⁵

12.4.6 There is a consensus in all the studies that have been undertaken that the northern part of the Parish of Bentley is a valued landscape and that this includes the church (which lies immediately to the north of the site) and land to the north of the church that encompasses Bentley Hall, Bentley Park, Bentley Old Hall and Bentley Manor. The ancient woodlands are also an integral part of the landscape value, and this includes Engry Wood which forms the western boundary to the site. The '*intact pattern of historic winding narrow, and occasionally incised, lanes such as Church Road*'⁷⁶ is another integral element of value and Church Road runs through the middle of the site.

12.4.7 None of the assessments described above have identified on a plan where the '*northern part of the Parish of Bentley*' begins. However, given the features described above I consider that Potash Lane is the only reasonable boundary that would encompass both Church Road and Engry Wood. Potash Lane is itself an historic, sinuous rural lane

⁷⁴ AFA Valued Landscape Assessment Page 53 (CD G9)

⁷⁵ Bentley Neighbourhood Plan: Landscape Appraisal Page 31 (CD G7)

⁷⁶ Bentley Neighbourhood Plan: Landscape Appraisal Pages 32 (CD G7)

containing vernacular buildings and recently identified as the likely alignment of the Hundred Way, a route of probable Saxon origin. When I prepared the Planning Application Review in 2024, I concluded that the valued landscape identified in these assessments stretched as far south as Potash Lane. I consider that the robustness of my conclusion has been confirmed by the decision that the southern boundary of the Bentley CA should be Potash Lane.

12.5 Landscape Value

12.5.1 I have assessed the value of the immediate landscape in which the site is located to be high. I consider it to be a valued landscape for the purposes of the NPPF Paragraph 187a. The site is within a Suffolk Coast and Heaths NL Additional Project Area which is defined in the AONB Management Plan as an NPPF valued landscapes. An assessment of valued qualities within the landscape, in accordance with the latest guidance from the Landscape Institute, reveals quite clearly that the landscape in which the site is located would be a valued landscape even without its Additional Project Area status.

12.6 Landscape Effects of the Proposals

12.6.1 The proposals would introduce extensive utilitarian infrastructure into a landscape that is valued due to the frequency and persistence of historic features within the landscape and the lack of modern development. Due to its hard rectilinear character, the proposed development will be incongruous, and result in a loss of the existing character, and diminish the sense that this is an historic rural backwater. The twin accesses on Church Road and the access from Potash Lane will harm the existing valued character of these historic routes.

12.6.2 The approach to Bentley Church and Hall along Church Road will be significantly adversely affected with Church Road sandwiched between the two parts of the proposed development. The Church and the historic area around it would appear as the abrupt emergence of an historic enclave, oddly juxtaposed with a modern utilitarian electrical development, rather than an appropriate destination for a sinuous, narrow historic lane.

12.6.3 This is a large scale intervention in the context of a landscape that has changed so little. The proposed development would harm all the special qualities identified in the AFA Valued Landscape Assessment, contrary to Policy LP18. The sense of a largely unchanged landscape will be lost.



12.6.4 The proposed mitigation may limit some views of the development eventually, but will not restore the existing valued landscape character, they will not result in landscape enhancement or a positive legacy. The proposed amendments would not reduce the level of landscape harm.

12.6.5 The value of the landscape in which the site is located is **high** and the susceptibility to the proposed development is **medium/high** consequently landscape sensitivity is **medium/high**. The magnitude of change is **medium** and the overall effect of the proposed development on the site and its immediate landscape would be **moderate/major adverse**.

12.7 Visual Effects of the Proposals

12.7.1 Visual effects are a result of the sensitivity of visual receptors to the proposed development and the magnitude of changes to existing views. There are three groups of receptors, all of whom have high sensitivity who will be significantly adversely affected by the proposed development:

- Users of Church Road (LVIA Vps 1, 2 and 3)
- Users of Potash Road, (LVIA Vps 4 & 5)
- Users of Pond Hall Lane PRoW, (LVIA Vp 5 and 6)

12.7.2 There will be a **high** magnitude of change for users of Church Road and Potash Lane as existing valued views will be replaced by views of utilitarian electrical infrastructure. This will be particularly harmful on Church Road where the access road crosses the road and will allow views into the development on both sides; and on Potash Road where the site access is proposed. The magnitude of change will be **high** and the effect on the visual amenity of users of Church Road and Potash Lane will be **major adverse**.

12.7.3 When the proposed planting eventually establishes some views of the infrastructure within the development will be removed but the existing views will not be restored. The magnitude of change will be **medium/high** and the impact on visual amenity will be **moderate/major adverse**.

12.7.4 For users of Pond Hall Lane PRoW, the magnitude of change will be **medium/high** and the impact will be **moderate/major adverse** reducing to **moderate adverse** when planting finally establishes.

12.7.5 There are seven important views identified in the Bentley CAAMP that will be significantly adversely affected by the proposed development.

12.8 The Conclusions of the LVIA

12.8.1 The conclusions of the LVIA cannot be relied on because it fails to identify that the site is located within Additional Project Area and does not consider the findings of independent landscape evaluations undertaken for the landscape in which the site is located. In addition, it fails to identify that Policy LP18 of the Babergh JLP is relevant to the site. The response from the applicant when this was identified by Bentley PC was that these omissions it made no difference to the overall conclusion of the LVIA.

12.8.2 The LVIA does not undertake an assessment of Landscape Value in accordance with TGN 2/21, and none has been provided in the Appellant's SoC (CD C8). The LVIA conclusion that the mitigation planting will 'improve' the landscape illustrates that the LVIA does not have a clear understanding of the special qualities of the landscape in which the site is located, which are derived from the persistence of the historic landscape pattern and the scarcity of modern development.

12.9 Alternative Sites

12.9.1 I agree that sites F2, F3 and H2/3 are more sensitive from a landscape and visual perspective than the appeal site, but I consider that from a landscape and visual perspective Site C1 is preferable to the appeal site and that Site C2 is equivalent. I consider that within the ASA, visual impacts have been prioritised over landscape impacts.

12.10 Compliance with Landscape Related Planning Policies

12.10.1 The proposed development, due to its unsympathetic character and its failure to recognise the special qualities of the landscape in which it is proposed, would be in conflict with both local and national policies. It would erode the character of a well-preserved landscape that has remained largely unaltered and free from modern development. It would introduce an abrupt, alien and jarring form of development into a valued historic landscape.



GLOSSARY AND ABBREVIATIONS

GLVIA	Guidelines for Landscape and Visual Impact Assessment, Third Edition, published jointly by the Landscape Institute and Institute of Environmental Management and Assessment, 2013.
Indirect effects*	Effects that result indirectly from the proposed project as a consequence of the direct effects, often occurring away from the site, or as a result of a sequence of interrelationships or a complex pathway. They may be separated by distance or in time from the source of the effects.
Key Landscape* Characteristics	Those combinations of elements which are particularly important to the current character of the landscape and help to give an area its particularly distinctive sense of place.
Landscape character*	A distinct and recognisable pattern of elements that occurs consistently in a particular type of landscape and how this is perceived by people. It reflects particular combinations of geology, landform, soils, vegetation, land use and human settlement. It creates the particular sense of place of different areas of the landscape.
Landscape designations	Areas protected by law or through planning policies for reason of their landscape qualities e.g. National Parks, AONB and Local Landscape Designations.
Landscape effects	Effects on the landscape as a resource in its own right. Change in the elements, characteristics, character, and qualities of the landscape as a result of development.
Landscape elements	A component part of the landscape, such as trees, hedges, buildings and ponds.
Landscape features	Prominent eye-catching elements, e.g. tree clumps, wooded hill tops, and church towers/spires.
Landscape quality (or condition)*	Based on judgements about the physical state of the landscape, and about its intactness, from visual, functional, and ecological perspectives. It also reflects the state of repair of individual features and elements which make up the character in any one place.
Landscape qualities	Term used to describe the aesthetic or perceptual and intangible characteristics of the landscape such as scenic quality, tranquillity, sense of wildness or remoteness. Cultural and artistic references may also be described here.
Landscape value*	The relative value that is attached to different landscapes by society. A landscape may be valued by different stakeholders for a wide variety of reasons.
LCA	Landscape Character Area – single unique areas that are the discrete geographical areas of a particular landscape type.
LT	Landscape Character Type – distinct types of landscape that are relatively homogeneous in character. They are generic in nature may occur in different areas in different parts of the country.
LVIA	Landscape and Visual Impact Assessment.
Magnitude*	A term that combines judgements about the size and scale of the effect. The extent of the area over which it occurs, whether it is reversible or irreversible and whether it is short or long term in duration.
Mitigation	Measures including any process, activity, or design to avoid, reduce, remedy or compensate for adverse environmental impact or effects of a development.
NCA	National Character Areas. Landscape character areas as defined for the whole of England.
Photomontage*	A visualisation which superimposes an image of a proposed development upon a photograph or series of photographs.
Receptor	Physical or perceptual landscape resource, special interest, viewer group or individuals that may be affected by a proposal.
Scale Indicators*	Landscape elements and features of a known or recognisable scale such as houses, trees and vehicles that may be compared to other objects where the scale of height is less familiar, to indicate their true scale.
Sense of Place (genius loci)*	The essential character and spirit of an area: <i>genius loci</i> literally means 'spirit of the place'.

Sensitivity*	A term applied to specific receptors, combining judgements of the susceptibility of the receptor to the specific type of change or development proposed and the value related to that receptor.
Tranquillity*	A state of calm and quietude associated with peace, considered to be a significant asset of landscape.
Type or Nature of Effect	Whether an effect is direct or indirect, temporary or permanent, positive (beneficial), neutral or negative (adverse) or cumulative.
Visual amenity*	The overall pleasantness of the views people enjoy of their surroundings which provide an attractive visual setting or backdrop for the enjoyment of activities of the people living, working and recreating, visiting or travelling through an area.
Visual effect*	Effects on specific views and on the general visual amenity experienced by people.
Visualisation*	A computer stimulation, photomontage, or other technique illustrating the predicted appearance of a development.

Note: Descriptions marked with an asterisk are identical to those provided in the Third Edition Guidelines for Landscape and Visual Impact Assessment glossary or text.



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